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U. S. DEPARTMENT OF AGRICULTURE

BIOLOGICAL SURVEY—BULLETIN No. 19

C. HART MERRILL, Chief

HUNTING LICENSES

THEIR HISTORY, OBJECTS, AND LIMITATIONS

BY

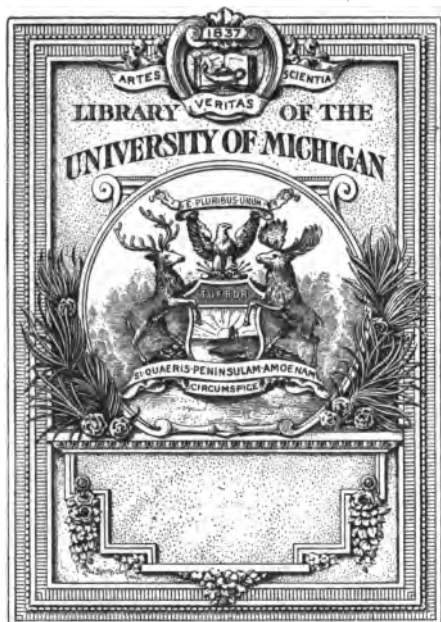
T. S. PALMER

ASSISTANT IN CHARGE OF GAME PRESERVATION



WASHINGTON
GOVERNMENT PRINTING OFFICE

1904



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NOTE.

On page 47 of Bulletin 19 on "Hunting Licenses" reference is made to the case of *Cummings v. People*, involving the constitutionality of the license law of Illinois. On October 24, 1904, the Supreme Court of Illinois rendered a decision in this case upholding the constitutionality of the law and quoting with approval the decisions of the Supreme Court of New Jersey in the case of *Allen v. Wyckoff*, and the United States circuit court of the northern district of Illinois in the case of *In re Eberle*.

The court holds: (1) That the proviso in Section 25 of the Illinois law allowing owners and tenants of farm lands to hunt without obtaining a license, is valid; (2) That lands owned or rented as game preserves are not farm lands, and the owners or tenants are not entitled to hunt without a license; (3) That the clause in Section 32 of the law providing that nothing in the act shall apply to persons hunting by invitation on lands of another "must be held invalid, except in so far as it can be given a limited effect," adding that "the purpose of the legislature doubtless was to authorize the owner of lands to invite another person to do that which he might himself lawfully do, and so construed the proviso can be sustained."

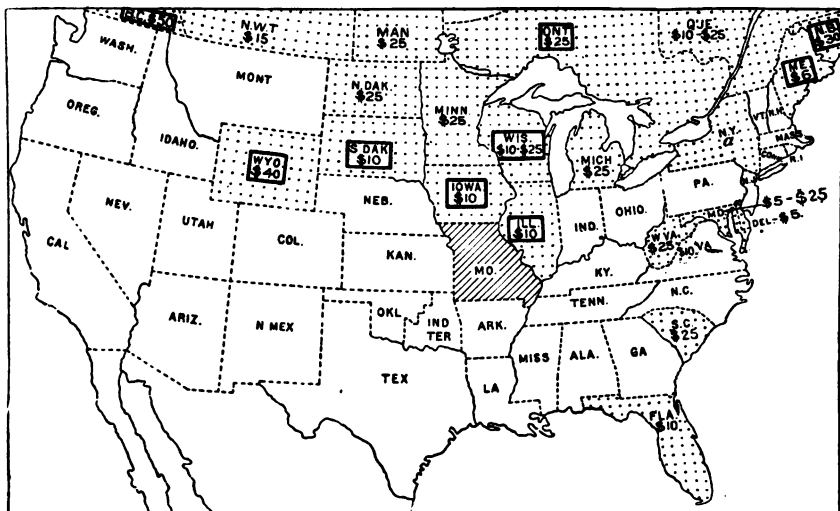


FIG. 1.—STATES HAVING NONRESIDENT LICENSE LAWS IN 1900.

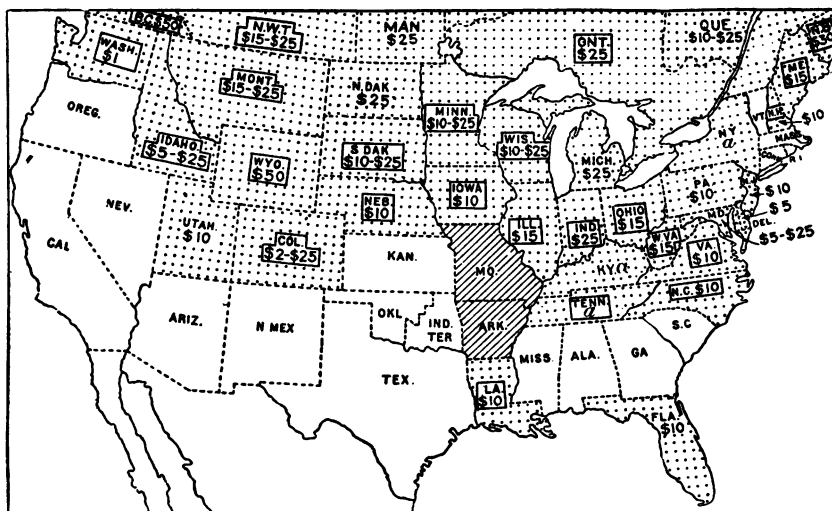


FIG. 2.—STATES HAVING NONRESIDENT LICENSE LAWS IN 1904.

MAPS SHOWING PROGRESS IN NONRESIDENT LICENSE LEGISLATION.

Inclosed names indicate States which grant special privileges for taking out a limited amount of game. States which are ruled do not permit hunting by nonresidents.

U. S. DEPARTMENT OF AGRICULTURE

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C. HART MERRIAM, Chief

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WASHINGTON
GOVERNMENT PRINTING OFFICE
1904

LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF AGRICULTURE,
DIVISION OF BIOLOGICAL SURVEY,
Washington, D. C., August 20, 1904.

SIR: I have the honor to transmit herewith, as Bulletin No. 19, a report on "Hunting licenses, their history, objects, and limitations," prepared by Dr. T. S. Palmer, assistant in charge of game preservation. The object of this bulletin is to render generally accessible the information collected by the Department on the subject of resident and nonresident licenses. In States which have adopted the license system statistics regarding hunting not previously collected are now available. Thus the figures here presented show that during 1903 the receipts from licenses exceeded \$10,000 in each of 9 States, and Illinois and Wisconsin each collected nearly \$100,000; the total number of hunters in 10 States which license both residents and nonresidents exceeded 261,000; and the States which attracted most nonresident hunters were Maine, North Carolina, and Wisconsin.

Respectfully,

C. HART MERRIAM,
Chief Biological Survey.

HON. JAMES WILSON,
Secretary of Agriculture.

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HUNTING LICENSES: THEIR HISTORY, OBJECTS, AND LIMITATIONS.

INTRODUCTION.

Two of the most important problems of practical game protection are how to enforce the laws and how to secure the funds necessary for the purpose. Without funds it is manifestly impossible either to provide or maintain the service required to carry the laws into effect; and if no serious effort is made to secure compliance with the law public interest in game protection flags until it becomes difficult to secure either appropriations or such legislation as will yield revenue for warden service. The most successful method of raising funds thus far devised is a system of licenses which in effect amounts to a direct tax on those who hunt. Several States depend almost entirely on some system of this kind for maintaining their warden service, and others receive from it important additions to their game protection funds. How important such a source of revenue may become can readily be appreciated from the fact that during the past year Maine collected license fees amounting to more than \$25,000, Wisconsin \$90,000, and Illinois nearly \$100,000. In some States this money is derived principally from resident, in others from nonresident, licenses.

The requirements in regard to fees and the method of obtaining licenses differ widely in different sections of the country, and every sportsman who resides in a State which has license laws or who visits States where licenses are required is directly affected by the system. As interest in the subject is widespread, it seems desirable to bring together data showing not only the origin and development of hunting licenses, but also their advantages and disadvantages. Few questions in game protection have attracted more attention in recent years, and none, perhaps, has been more fruitful of discussion or led to more diverse opinions.

HISTORY OF HUNTING LICENSES.

It is commonly supposed that the license feature of game protection, which by many is regarded as unnecessary and unjust, is a recent development; but, although most of the present laws have been enacted

during the last ten years, even a hasty review of the subject will show that the system originated at a very early date in the United States,^a and was in reality an outgrowth of a discriminating attitude toward nonresidents. Hunting licenses were required in some of the colonies, particularly Virginia, more than two hundred years ago, though their object was somewhat different from those of modern times. One of the earliest statutes may be found in "An act for a free trade with Indians," passed in Virginia in April, 1691 (3 Hening's Stat., 69), the object of which was stated as follows:

And for the future prevention of such mischeifes as have frequently happened at huntings, commonly called fire huntings and other huntings remote from the plantations, *Bee it enacted by the authority aforesaid, and it is hereby enacted*, That no person or persons whatsoever shall hereafter presume to goe an hunting remote from the English plantations without first having obtained the lycense and permission of their Majesties leiutenant governour or commander in cheife for the time being and the councell of state under such restrictions, limitations and conditions as at the time of giving such permission shall be by them thought fit to be enjoyned and appointed.

DISCRIMINATION AGAINST NONRESIDENTS.

In an act passed on March 27, 1719 (Nevill, 86), nonresidents in New Jersey were prohibited from taking oysters or putting them on board a vessel not wholly owned by a resident. The discrimination against nonresidents in the matter of gathering oysters thus begun nearly two centuries ago has been maintained to the present time by oyster laws similar to the act of 1719 passed in 1820, 1846, and 1899. A similar discrimination may also be found in an act passed in Rhode Island in 1844.

In the second game law enacted in North Carolina (Laws of 1745, Chap. III) all persons not possessed of a settled habitation in the province were required to have a certificate that they had planted and tended 5,000 hills of corn before they were permitted to hunt deer.

Section 4 of this act reads:

That every person who shall hunt and kill deer in the King's waste within this Province, and who is not possessed of a settled habitation in the same shall be obliged to produce a *certificate* when required of his having planted and tended five thousand corn-hills, at five feet distance each hill, the preceding year, or season, in the county where he shall hunt, under the hands of at least two Justices of the Peace of the said county and the hand of at least one of the churchwardens of the Parish where such person planted and tended such corn, as aforesaid.

This law, which contains the germ of the hunting license, was amended twenty-three years later (Laws of 1768, Chap. XIII) so as to deny the privilege of hunting deer to persons not having a freehold of 100 acres of land in the province, or not having tended 10,000 corn hills during the previous year.

^a It is sometimes said that the license idea originated in Canada, but this is not strictly the case.

In 1840 Virginia prohibited nonresidents from hunting wild fowl on beaches or marshes below the head of tide water, and maintained this restriction until 1903. In 1846 New Jersey made nonresidents liable to a fine of \$15 and forfeiture of their guns to the informer for trespass with a gun, while residents convicted of the same offense were liable merely to a fine of \$5 and costs, or less than one-third the penalty imposed on nonresidents.

In 1854 North Carolina prohibited nonresidents from hunting wild fowl in Currituck County, assigning the following reasons in the preamble of the bill:

Whereas, large numbers of wild fowl collect during the fall and winter, in the waters of Currituck County, which are a source of great profit to the inhabitants thereof; and whereas, persons from other States, not residents of this State, shoot and kill, decoy and frighten the same, to the great annoyance and detriment of the citizens of our own State: Now Be it enacted, etc. (Laws of 1854, chap. 55.)

Under this act all persons who had not resided in the State for at least twelve months were prohibited from hunting or killing wild fowl in the waters of Currituck County. Recently in North Carolina and Virginia nonresidents hunting wild fowl in certain counties have been prohibited from shooting from sink boxes or boats, in order that this privilege might be reserved for residents alone.

By an act of December 11, 1858, Georgia prohibited nonresidents from hunting or fishing within the limits of the State, in order, it was said, to prevent strangers and others from holding conversation with slaves. Delaware in 1863, following Virginia's example, made it unlawful for nonresidents to kill wild ducks, geese, or other waterfowl on any of the marshes or waters of the State, under a penalty of \$50 to \$100. Three years later Florida, by act of June 13, 1866, prohibited nonresidents from camping or fire hunting, with or without dogs or guns, in Taylor and Lafayette counties. In 1880 Maryland prohibited nonresidents of the five counties bordering the Patuxent from shooting snipe, rail, and wild fowl on the waters or marshes of the river, and prohibited use of sink boxes in Queen Anne County by nonresidents of the county. Several similar instances of discrimination appeared in subsequent legislation of the State, and culminated in 1890 in a provision prohibiting nonresidents of Parsons Creek, Church Creek, and Neck districts, in Dorchester County, from shooting wild fowl on Little Choptank River.

The West and South have made even more severe discriminations against the nonresident. Missouri, in 1877, prohibited nonresidents from hunting game for market, and two years later prohibited them from hunting at all within the State, a provision which still remains in force. Similar action was taken by Wyoming about 1886, but the absolute prohibition then established was changed in 1895 to a \$20 nonresident license. In 1879 Tennessee prohibited nonresidents

from hunting deer for profit in certain counties, and in 1889 prohibited all hunting by nonresidents in certain others; but these provisions were replaced by license provisions in the general game law of 1903. Absolute prohibition has recently found favor in one or two other States. It was adopted by Louisiana in 1902,^a and by Arkansas (except in Mississippi County) in 1903. Louisiana, however, substituted a license fee in 1904; so that at present Missouri and Arkansas are the only States which deny the nonresident the privilege of hunting within their borders.

NONRESIDENT LICENSES.

The history of nonresident license legislation may be conveniently divided into three periods, which overlap one another: (1) Development of the local license, beginning in 1872; (2) development of the market-hunting license, beginning in 1875; and (3) development of the general license, beginning in 1878.

LOCAL LICENSES.

The local license had its rise in the Eastern States. The first law containing a nonresident-license provision was apparently that passed in 1873 in New Jersey, under the title, "An act to incorporate the West Jersey Game Protective Association." (Acts of 1873, chap. 470, p. 553.) This association was incorporated for fifteen years, and section 7 of the act of incorporation provided:

That if any person or persons nonresidents of this state, shall kill, destroy, hunt, or take any doe, buck, fawn, partridge, moor fowl, grouse, quail, or woodcock, at any time within the counties of Camden, Gloucester, Atlantic, Salem, Cumberland and Cape May in this state without complying with the bylaws of this Game Protective Society then the person or persons so offending shall forfeit and pay the sum of \$50 each, for each and every offence * * * provided nothing in this Act shall prevent residents of this state from taking game or fish, subject to the existing laws of this state.

The membership fee was fixed at \$5 for the first year and \$2 per year thereafter, and nonresidents were required to procure membership certificates before hunting in the six counties above mentioned. These certificates thus became in effect nonresident licenses. In 1878 a somewhat broader general act was passed (Laws of 1878, chap. 184), applicable to other associations in New Jersey. The Delaware Game Protective Association was incorporated by act of legislature in 1879 along much the same lines. Its membership fees were the same as those of the West Jersey Game Protective Association, and nonresidents wishing to hunt in the State were first required to secure certificates of membership. (Laws of 1879, chap. 111.) The same idea was later adopted

^a The police jury of Caddo Parish, La., in 1896, however, passed a measure prohibiting hunting by nonresidents in that parish. (Forest and Stream, XLVII, p. 386, Nov. 14, 1896.)

by the counties on the eastern shore of Virginia, through the passage of a law in 1894 requiring nonresidents of the State to become members of the Eastern Shore Game Protective Association before hunting wild fowl in these counties. The by-laws originally fixed the initiation fee of members at \$1 and the annual dues at \$1, but in 1901 the license fee required of nonresidents was increased to \$10, the rate adopted by the State in its general license law two years later.

In 1875 Florida adopted a statute (Acts of 1875, chap. 2055, p. 62) making it unlawful for any nonresident to hunt for the purpose of conveying game beyond the limits of the State without first obtaining from the clerk of the county in which he proposed to hunt a license at a cost of \$25. In case several persons hunted together, six could be included under the same license on payment of an additional \$5 each.

In 1882 Maryland laid the foundation of a county license system by requiring nonresidents to secure licenses to hunt game in Caroline County; and in 1886 established a like requirement in the counties of Anne Arundel, Baltimore, Kent, Prince George, Queen Anne, and Talbot. In 1888 three additional counties—Charles, Dorchester, and Howard—adopted the system; and more recently all the other counties in the State have followed their example; but in 1894 Anne Arundel repealed the license provision and prohibited nonresidents from hunting within the county. (Laws of 1894, chap. 103.)

In 1884 New York passed a special license law (Laws of 1884, chap. 185), which required nonresidents of Richmond County (Staten Island) to secure a \$10 license before hunting game in that county. This local license law remained in force until repealed by the general game law of 1892, eight years later, and is apparently the only license of the kind enacted by the State. The general licenses of 1900–1903, reciprocal in character and without fixed fees, merit special consideration, and will be discussed in connection with similar licenses of other States.

In 1892 South Carolina required a \$25 license of nonresidents hunting in Beaufort County, and in 1893 extended the law to the rest of the State. In 1899 Illinois adopted a \$10 nonresident county license, and West Virginia a \$25 county license (both of which have since been changed to State licenses). In 1900 Iowa established a \$10 nonresident county license; in 1901 South Dakota and Washington adopted \$10 county licenses; and in 1903 Colorado established a county license for nonresidents hunting birds, all of which still remain in effect, except that of Washington, which has been replaced by a hunting license required alike of residents and nonresidents.

This may be said to cover the first period of nonresident-license legislation. The licenses in New Jersey, Delaware, and Virginia were in the nature of fees for membership in private corporations, and those of all the States except Delaware were alike in being local

licenses, in most cases good only for the county of issue. With a few exceptions the license fees were comparatively small, usually less than \$10. The county license has not met with general favor. It has been adopted by only a few States, and is now in force in less than one-third of the States which have the license system.

MARKET-HUNTING LICENSES.

The effort in some of the Southern States to restrict market hunting and to prevent the export of game from the State for commercial purposes brought about a twofold result—the development of the market-hunting license and the absolute exclusion of nonresidents from hunting privileges. A correspondent of the *American Field*, who states that he has observed game conditions in Arkansas for twenty-five years, asserts that 90 per cent of the game killed in that State has been killed by market hunters. (*Am. Field*, LIX, p. 216, Feb. 28, 1903.) In view of this statement, which apparently has strong independent support, it is interesting to notice that Arkansas seems to have been the pioneer in restrictions on market hunters. In the act of March 6, 1875, a tax of \$10 was levied on all nonresident trappers, hunters, seiners or netters of fish following their calling in the State. Twenty-two years later, in 1897, the tax was increased to \$25. (*Acts of 1897*, p. 113.) In 1903 two bills were passed by the legislature—one imposing a tax of \$300 on all nonresidents hunting in the State, the other absolutely prohibiting hunting by nonresidents except in Mississippi County. The license bill was vetoed; the prohibition bill became a law.

Missouri, in 1877 (*Laws of 1877*, p. 333), prohibited nonresidents from hunting game for the purpose of selling it or removing it from the State, and in 1879 extended this law so as to prohibit nonresidents from hunting at all within the State.

In 1879 Tennessee enacted legislation prohibiting nonresidents from hunting deer for profit in some counties, and in 1889 in others restricted such hunting to persons hunting on their own lands. These provisions were repealed in 1903 by the adoption of a general game law which provided a market-hunting license of \$25 and authorized the State game warden to collect from nonresident sportsmen the same fee which residents of Tennessee would be subject to in their States.

In 1884 South Carolina enacted a law requiring each nonresident engaged in the business of hunting, ducking, fishing, or gathering oysters or terrapin, or in the sale of game in the counties along the sea board—Georgetown, Charleston, Beaufort, Colleton, and Berkeley—to pay a license at the rate of \$25 for each nonresident hand employed. (*Laws of 1884*, p. 734.) These licenses were not required of persons hunting or fishing on their own lands or waters included within them, nor, under an amendment passed in 1892, of persons authorized by

landowners to hunt on their property. By act of 1885 a fixed fee of \$25 was imposed for the license and also a fee of \$25 for each nonresident hand employed, and in 1888 these fees were increased to \$500 and \$100, respectively, thus raising the cost to a point far above that of any other market-hunting license. Neither of these statutes appears in the code of 1902, and South Carolina is at present without a nonresident license law.

In 1899 Georgia (Acts of 1899, part 1, p. 96) adopted a law authorizing a \$25 market-hunting license, but provided that the act was not to be in force in any county until recommended by the grand jury of that county.

Oregon, the only other State to adopt the market-hunting license, passed a law in 1901 making it unlawful for any person not a resident of the State to hunt any game for market purposes without having first obtained a \$10 license from the State game and forestry warden. (Laws of 1901, p. 231, sec. 38.)

By an act passed in 1902 Louisiana, following the lead of Missouri and Arkansas, adopted absolute prohibition in the case of nonresident hunters. This act, however, was replaced in 1904 by a \$10 nonresident hunting license and a \$25 market-hunting license. Thus at the present time the restrictions on market hunting in the South have developed into absolute prohibition in Arkansas and Missouri, into market licenses in Georgia and Louisiana, a market license and modified nonresident license in Tennessee, and the abolition of all licenses in South Carolina. The moderate market license of Oregon remains unchanged.

It is to be observed that the easternmost of these States, South Carolina and Georgia, adopted the county license system, and that there seems to have been a marked inclination toward \$25 as the amount of the fee.

GENERAL LICENSES.

The general license seems to have had its origin in Canada. The same feeling of discrimination so conspicuous in the game legislation of the United States existed in Canada, but instead of manifesting itself in absolute prohibition it there took the more liberal form of a system of high licenses for hunting big game. New Brunswick apparently led the way about 1878, and was followed by Quebec in 1882, Nova Scotia in 1884, Ontario in 1888, Newfoundland in 1889, British Columbia and Manitoba in 1890, and the Northwest Territories in 1893. The license system thus extended throughout Canada, except Prince Edward Island, Yukon, and the Unorganized Territories. Fees varying from \$20 to \$25 were charged in some cases for big game only, but in others for hunting game of any kind.

In 1895 general licenses found favor in the Northwestern States, and laws undoubtedly modeled after those of the Canadian Provinces were

enacted in several States. This sudden demand for nonresident licenses is interesting from several standpoints, and may have been influenced by two circumstances. On January 9-10, 1895, occurred the second annual meeting of the National Game, Bird and Fish Protective Association at Chicago, at which resolutions were adopted foreshadowing methods of game protection, including shooting licenses, which have since been incorporated into law.^a About this time a bill was pending in the Illinois legislature practically opening the Chicago markets to unlimited sale of game from other States.^b Whatever may have been the effect of this convention and of the Illinois game bill, they certainly served to draw attention to the question of discriminating against nonresidents, and although it may have been only a coincidence, nonresident license laws were adopted almost immediately by four States^c—Wyoming in February, North Dakota in March, Minnesota in April, and Michigan in May. Wisconsin followed in 1897, four other States in 1899, six in 1901, and eight in 1903.

RESIDENT LICENSES.

The history of modern resident hunting licenses properly begins with the system of special licenses developed in some of the counties of Maryland in the early seventies and eighties. Shooting wild fowl from sink boxes, sneak boats, or in some cases from blinds was prohibited except under license, and these licenses were issued only to residents. The first of these special laws was passed in 1872 (Laws of 1872, chap. 54) for the protection of wild fowl on the Susquehanna Flats, at the head of Chesapeake Bay. Section 7 of this act provided:

No owner, master, hirer, borrower, employee of any owner, or other person, shall use or employ any sink box, or sneak boat of any description whatever, for the purpose of shooting at wild water-fowl therefrom, northward of the line named and described in section 380 [drawn half a mile north of Spesutie Island from Turkey Point, in Cecil County, to the opposite shore of Harford County], without first obtaining a license to so use and employ the same as is hereinafter provided.

The license fee for a sink box was \$20, and for a sneak boat \$5. The licenses were issued by the clerks of Harford and Cecil counties, and the clerk was allowed 75 cents for issuing each license.

Under section 11 of the same act applicants were required to make oath that they were bona fide residents of the State, and a fine of \$50 to \$100 was provided for violating any of the license provisions, one-half of which was to be paid to the informer and one-half to the school commissioners of the county. A board of special police was appointed

^a Am. Field, XLIII, pp. 51-52, Jan. 19, 1895.

^b House bill 56, commonly known as the 'Blow Bill.' For full text of this measure and the discussion relating to it, see Am. Field, XLIII, pp. 123, 147, 1895.

^c A game bill containing a \$50-nonresident license provision was also introduced in the Nebraska legislature, but failed to pass.—Forest and Stream, XLIV, p. 307, April 20, 1895.

to enforce the provisions of the act, and these officers, commonly known as ducking police, were authorized to seize any sink box or boat used in violation of law. The issue of licenses was thus restricted to residents of the State. Nonresidents were not denied the privilege of hunting waterfowl, but they could not hunt successfully without sink boxes or boats; and, as these could only be used under license, residents who alone were authorized to obtain licenses could control hunting and charge any fees they saw fit for their boxes or boats.

In 1876 the use of sink boxes in the waters of Anne Arundel County with certain exceptions, or on Chesapeake Bay within the limits of the county, was restricted to licensed residents of the county. These licenses were issued at a cost of \$30 each. (Laws of 1876, chap. 78.) In 1882 licenses at \$2 each (and a clerk's fee of 50 cents) were required for the use of 'booby' or 'bush' blinds on the Magothy, Severn, and South rivers. It is noticeable, however, that the issue of licenses for blinds was not restricted to residents, and that the owner could extend to any person the privilege of shooting from his blind during the open season. (Laws of 1882, chap. 400; 1886, chap. 366.)

In 1878 residents of Cecil County were required to obtain licenses, at a cost of \$10, to use sink boxes on the waters of the Elk and Bohemia rivers (Laws of 1878, chap. 292); and in 1880 similar \$10 licenses were required in Queen Anne County, and in Cecil and Kent counties for the use of sink boxes on the Sassafras River. (Laws of 1880, chaps. 42 and 370.)

Turning to Canada, mention should be made of a special \$5 license which came into use in the Province of Quebec in 1887.^a This license differed from ordinary resident licenses in being issued only for killing 5 deer and 5 caribou in excess of the limit prescribed by law. The fee still remains the same, but since 1895 the number of deer and caribou has been reduced to 3.

The system of general resident hunting licenses apparently originated in Michigan in 1895^b as a measure to restrict the slaughter of deer. In his annual report for 1894, Charles S. Hampton, game and fish warden of Michigan, said:

I am of the opinion that a law licensing all hunters, those of our own State being charged a mere nominal fee, while nonresidents are compelled to pay twenty-five dol-

^a Reference may here be made to a somewhat different form of license which was proposed in Colorado in 1885, but not adopted. Licenses were to be issued to immigrants traveling in unsettled parts of the State, allowing them to kill game during the close season for periods not exceeding 30 days at a cost of \$5 or \$10. (Am. Field, XXIII, p. 121, Feb. 7, 1885.)

^b It was, however, advocated in Illinois at the same time. Section 7 of the 'Blow Bill,' which failed to pass the Illinois legislature of 1895, contained a provision for a \$1 license for all persons except owners or occupants of cultivated farms hunting on their own lands. (Am. Field, XLIII, p. 124, Feb. 9, 1895.)

lars, is for the present, at least, the best restrictive measure. The decision of the Supreme Court of the United States in *McCready vs. Virginia* (94 U. S. 391) would seem to set at rest all doubts as to the constitutionality of such a law. Any man carrying a gun and not having a license in his possession, or refusing to show it to any citizen on demand, should be subject to penalty. (Fourth Biennial Report, p. 10.)

Acting on this suggestion, the legislature in 1895 adopted a 50-cent resident license and a \$25 nonresident license for hunting deer.

Hawaii, in 1896, before its annexation, passed a law establishing a \$5 hunting license for the island of Oahu, and this law still remains in force without change. The high rate is perhaps due in part to the fact that this license is a permit to carry firearms as well as to hunt game, but more especially to the fact that all the game on the island is introduced, and in order to prevent its extermination stricter regulations and higher fees are necessary than would be required under ordinary circumstances.

In 1897 Wisconsin adopted licenses for deer hunting similar to those of Michigan, but made the rate for residents \$1. In 1899 Minnesota adopted a 25-cent license for big game; North Dakota, a 75-cent license for all game, and Wyoming, a dollar license for big game; the Wyoming license is required, however, only outside the county in which the hunter resides. Maine also issued licenses at \$4 each, allowing residents to kill one deer during the month of September, for food purposes only, in certain counties;^a but the law met with so much opposition that it was repealed two years later. One dollar resident licenses for big game were adopted in 1901 by South Dakota, and for all game by Nebraska and Washington; in 1903 for all game by Illinois, Colorado, and Idaho, and for waterfowl during the fall season by Indiana; and in 1904 for all game in Somerset County, Md. Thus the resident license system has spread to 13 States and to 3 provinces of Canada.^b (See Pl. II.)

At first licenses were required only for hunting big game, but there is now a strong tendency to extend them to cover all game, though of States having resident licenses Michigan, Minnesota, South Dakota, Wyoming, New Brunswick, Ontario, and Quebec still have no licenses for small game, while in Indiana none is required except for shooting waterfowl in the fall. The fee, which exhibited considerable diversity at first—50 cents in Michigan, \$1 in Wisconsin, 25 cents in Minnesota, 75 cents in North Dakota, \$4 in Maine, and \$5 in Hawaii—is now uniformly \$1, with the exception of the 75-cent fee in North Dakota and Michigan, the \$5 fee in Hawaii, the \$2 fees in New Brunswick and Ontario, and the \$5 fees in Ontario and Quebec. Some diversity still

^aIn eight of the sixteen counties: Oxford, Franklin, Somerset, Piscataquis, Penobscot, Aroostook, Hancock, and Washington, which comprise more than four-fifths of the area of the State.

^bIncluding Quebec, which issues such licenses only for killing big game in excess of the bag limit.

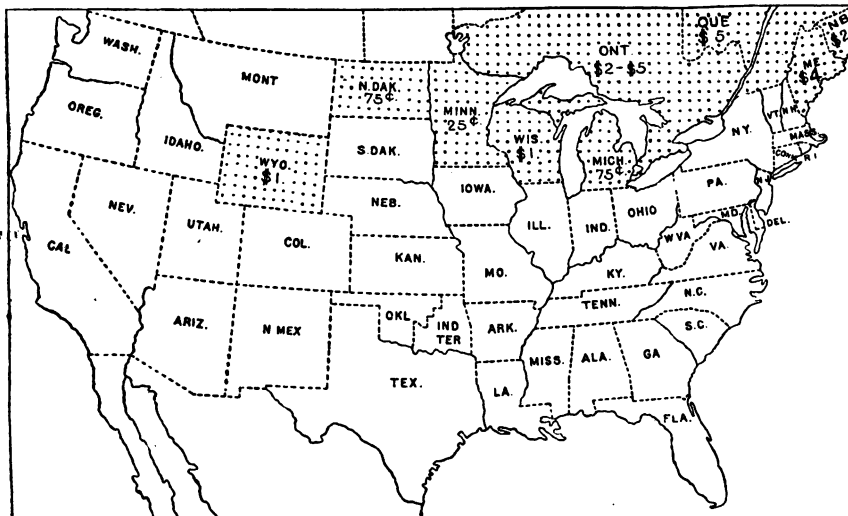


FIG. 1.—STATES HAVING RESIDENT LICENSE LAWS IN 1900.

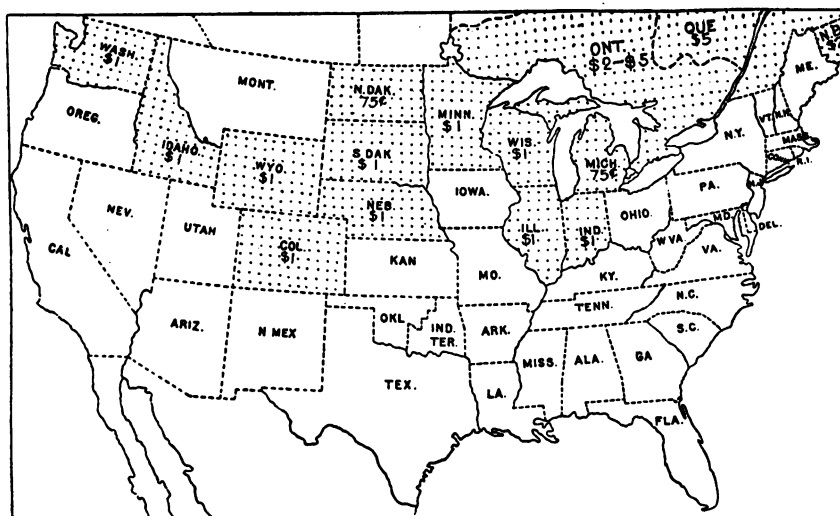


FIG. 2.—STATES HAVING RESIDENT LICENSE LAWS IN 1904.

MAPS SHOWING PROGRESS IN RESIDENT LICENSE LEGISLATION.



exists in regard to the territory covered by licenses. In South Dakota and Washington and in Somerset County, Md., they are good only in the county of issue; in Nebraska and Wyoming they are not necessary in the county of residence; and in Illinois and North Dakota they are not required in the case of a citizen hunting on his own land.

SUMMARY OF LICENSE LEGISLATION.

The progress of legislation outlined above may perhaps be brought out more clearly by summarizing under each State and Province the important laws and changes in fees. In the appendix, p. 55, will be found a chronological index of the license laws from 1872 to 1904. The year 1872 is taken as the starting point because it apparently marks the first enactment of a hunting license law in the United States. It should also be explained that the gradation from an ordinary license through one with an exorbitant fee to absolute prohibition is so gradual that it is difficult to draw the line of demarkation. For this reason prohibitive statutes passed since 1872 are included in the summary, and although no systematic attempt has been made to collect earlier ones, those of most interest are referred to on pp. 10-12.

TABLE SHOWING DATES OF ADOPTION OF LICENSE SYSTEM AND
PRINCIPAL CHANGES IN FEES.

Arkansas.—1875, \$10 market-hunting license; 1897, fee increased to \$25; 1903, nonresidents prohibited from hunting in the State, except in Mississippi County.

Colorado.—1903, \$25 nonresident general license, \$1 a day bird license (\$2 first day), \$1 resident license.

Delaware.—1879, Nonresident license, \$5 first year, \$2 subsequent years.

Florida.—1875, \$25 nonresident county license for hunting game for export; 1899, \$10 nonresident county license for deer, turkeys, or quail; 1903, \$10 nonresident county license for any game. Nonresident license, \$1 per day, in La Fayette County.

Georgia.—1899, \$25 market-hunting license.

Hawaii.—1896, \$5 hunting license in Oahu.

Idaho.—1903, \$25 nonresident license for all game, \$5 license for birds, \$1 resident license.

Illinois.—1899, \$10 nonresident county license; 1901, \$10 nonresident State license; 1903, \$15 nonresident license, \$1 resident license.

Indiana.—1901, \$25 nonresident license, free permits for hunting squirrels and wild fowl October 1–November 10 issued to residents and licensed nonresidents; 1903, \$1 resident permit for hunting wild fowl October 1–November 10 (free to licensed nonresidents).

Iowa.—1900, \$10 nonresident county license.

Kentucky.—1902, \$25 nonresident license; 1904, variable fee established.

Louisiana.—1902, Nonresidents prohibited from hunting in the State; 1904, \$10 nonresident license (required also of unnaturalized residents), \$25 market-hunting license.

Maine.—1899, \$6 nonresident, \$4 resident, September deer license; 1901, law repealed; 1903, \$15 nonresident State license for deer and moose, \$5 nonresident license for ducks and sea and shore birds in 5 counties.

Maryland.—1872, \$20 sink box and \$5 sneak-boat licenses on Susquehanna flats for residents of Cecil and Harford counties.

1876, \$30 sink-box license for residents of Anne Arundel County.

1878, \$10 sink-box license on Elk and Bohemia rivers for residents of Cecil County; fee for sink-box license on Susquehanna flats reduced to \$10 in case of residents of Cecil County.

1880, \$10 sink-box license on Sassafras River required of residents of Cecil and Kent counties; nonresidents of Anne Arundel, Calvert, Charles, Prince George, and St. Mary counties prohibited from shooting snipe, rail, and wildfowl on Patuxent River; \$10 sink-box license for residents of Queen Anne County (nonresident not allowed to use sink box).

1882, \$2 'blind' license on Magothy, Severn, and South rivers in Anne Arundel County; \$4.50 nonresident license for rabbits, muskrats, quail or partridges, woodcock, rail, and ducks in Caroline County.

1886, Nonresident county licenses as follows: Anne Arundel and Prince George, \$6 (rabbits, partridges, and woodcock); Baltimore, \$10 (rabbits and woodcock); Caroline, \$19.50 (rabbits, muskrats, quail or partridges, woodcock, rail, and ducks); Kent, \$4.50 (all game); Queen Anne, \$4.50 (all game); Talbot, \$9.50 (all game).

1888, Caroline County license fee reduced to \$4.50; nonresident county licenses as follows: Charles, \$20 (rabbits, partridges, and woodcock), \$25 (wildfowl); Dorchester, \$5 (rabbits, partridges, and woodcock); Howard, \$7.50 (all game).

1890, Nonresidents prohibited from hunting wildfowl on Little Choptank River in Dorchester County; nonresident county licenses as follows: Somerset, \$9.50 (all game); Worcester, \$10 (wildfowl).

1892, Nonresidents hunting snipe, rail, and wild fowl on Patuxent River in Anne Arundel and Prince George counties required to have permission of a majority of the residents near the river and to employ licensed boat; \$2 pusher's license required on Patuxent River; \$20 nonresident license for rabbits, partridges, and woodcock in St. Mary County.

1894, Citizens of Calvert County allowed to hunt snipe, ortolan, and wild fowl on Patuxent River in Anne Arundel and Prince George counties; nonresidents prohibited from hunting in Anne Arundel County or shooting wild fowl in Charles County; sink-box license on Elk and Bohemia rivers in Cecil County abolished and use of boats for hunting wild fowl prohibited. Nonresident county licenses as follows: Baltimore, \$10 (gray squirrels, rabbits, partridges, pheasants, and woodcock); Carroll, \$10 (squirrels, rabbits, partridges, pheasants, and woodcock); Harford, \$10 (rabbits, partridges, pheasants, woodcock, rail, reedbird, and robins); Kent, \$15 (rabbits and birds); Prince George, \$20 (rabbits, partridges, and woodcock).

1900, \$10 sink-box license on Elk and Bohemia rivers reestablished. Nonresident county licenses for hunting any game as follows: Garrett, \$25; Somerset, \$9.50.

1902, Nonresident county licenses as follows: Calvert, \$10 (rabbits, partridges, and woodcock); Cecil, \$5.50 (rabbits, quail or partridges, grouse, woodcock, reedbirds, ortolan or rail, and summer ducks); Frederick, \$15 (rabbits, partridges, pheasants, wild turkeys, woodcock, and ducks); Montgomery, \$15 (squirrels, rabbits, partridges, pheasants, wild turkeys, woodcock, and ducks); Prince George, \$20 (rabbits, partridges, pheasants, and woodcock); Washington, \$10 (hunting or fishing in county, except on Potomac River, not applicable to taxpayers or residents of Maryland or District of Columbia); Wicomico, \$10 (all game).

1904, Nonresident landowners and guests of resident landowners allowed to hunt in Anne Arundel County; special Patuxent River \$10 license required of nonresidents hunting birds (members of certain hunting clubs exempt), and \$2.50 pusher's license required of residents of State; nonresident license in Baltimore County extended to cover jacksnipe and fee reduced to \$5 (photograph of holder required on license). Nonresident county licenses as follows: Allegany, \$10 (all game); Somerset, \$10 (squirrels, rabbits, muskrats, quail or partridges, doves, woodcock, ducks, and geese); resident county license, Somerset, \$1.

Michigan.—1895, \$25 nonresident license, 50-cent resident license for hunting deer; 1897, resident license fee increased to 75 cents.

Minnesota.—1895, \$25 license required of citizens of States having restrictions against nonresident hunters; 1899, \$25 nonresident license and 25-cent resident license for big game; 1903, \$25 nonresident license for big game, \$10 nonresident license for small game; resident license extended to cover all game animals and fee increased to \$1; license law of 1895 repealed.

Missouri.—1877, Nonresidents prohibited from hunting game for sale or export; 1879, nonresidents prohibited from all hunting in the State.

Montana. 1901, \$25 big-game license and \$15 bird license required of nonresidents who pay no taxes in the State.

Nebraska.—1901, \$10 nonresident license, \$1 resident license (not required in county of domicile).

New Hampshire.—1903, \$10 nonresident deer license.

New Jersey.—1873, \$5 nonresident license for hunting in Atlantic, Camden, Cape May, Cumberland, Gloucester, or Salem counties; 1896, license law repealed; 1878, nonresidents prohibited from hunting in the State except in compliance with the by-laws of the game protection societies; 1902, \$10 nonresident license for any game except waterfowl, snipe, and mud hens.

New York.—1884, \$10 nonresident license for hunting on Staten Island; 1892, license law repealed; 1900, nonresident taking fish or game on fresh waters bounding State subject to same restrictions as citizen of New York in State of nonresident; 1902, nonresidents subject to license restrictions imposed by their own States on nonresidents; 1903, license fee fixed by commissioner in case of nonresidents from States without license laws.

North Carolina.—1883, Nonresidents prohibited from shooting wild fowl from floating blinds or batteries in Currituck and Dare counties; 1895, \$25 nonresident license for shooting on Dare County ducking grounds; 1897, nonresidents prohibited from hunting birds in Camden County; 1899, \$25 nonresident license for clubhouses in Dare County; 1903, \$10 nonresident license (\$20 in Cabarrus County).

North Dakota.—1895, \$25 nonresident license and 50 cents resident license (landowners hunting on their own property exempt, and nonresidents cultivating quarter section of land need only resident license); 1897, resident license fee increased to 75 cents, and nonresident owners of cultivated lands required to secure resident licenses; 1899, residents under 16 exempt.

Ohio.—1902, \$25 nonresident license; 1904, fee reduced to \$15.

Oregon.—1901, \$10 nonresident market-hunting license.

Pennsylvania.—1901, \$10 nonresident license (landowners exempt); 1903, same license required of unnaturalized foreign-born residents.

South Carolina.—1884, \$25 license for each nonresident hand employed by nonresidents hunting ducks in Beaufort, Berkeley, Charleston, Colleton, and Georgetown counties; 1885, license modified to add \$25 fee for pursuit of the business; 1888, license fee increased to \$500 and \$100 additional fee for each nonresident employed by licensee; 1892, \$25 nonresident license for hunting in Beaufort County; market-hunting license extended to Horry County; 1893, \$25 nonresident county license extended to rest of State (persons hunting on their own land exempt); 1902, repealed by omission from code.

South Dakota.—1899, \$10 nonresident county license; 1901, \$25 nonresident and \$1 resident county licenses, for big game.

Tennessee.—1877, Nonresidents of Lake and Obion counties prohibited from killing wild fowl for market on Reelfoot Lake; 1879, market hunting prohibited in 13 counties; 1889, nonresidents of the county prohibited from market hunting in certain counties and from all hunting in others; nonresidents of the State prohibited from killing wild fowl on Reelfoot Lake; 1897, nonresidents of Grundy and Van Buren

counties prohibited from killing deer, quail, and wild turkey in these counties; 1901, similar law for Bledsoe County; 1903, \$25 market-hunting license and nonresident license with same fee as resident of Tennessee is required to pay in State of applicant.

Utah.—1903, \$10 nonresident gun license.

Virginia.—1886, Nonresidents prohibited from killing wild fowl from skiffs or sink boxes in Fairfax, Henrico, King George, Prince William, and Stafford counties; 1891, nonresidents prohibited from killing wild fowl on lands below head of tide water, except in Accomac and Northampton counties; 1894, nonresidents, except members of the Eastern Shore Game Protective Association, prohibited from killing wild fowl in Accomac and Northampton counties; 1900, \$10 nonresident county license for deer and upland game birds in Alleghany, Augusta, Bath, Botetourt, Highland, and Rockbridge counties; 1903, \$10 nonresident license (children and guests of resident landowners exempt under certain conditions).

Washington.—1901, \$10 nonresident county license and \$1 resident county license (persons under 16 exempt, and privileges of resident license extended to citizens of Idaho and Oregon); 1903, uniform \$1 county license for residents and nonresidents.

West Virginia.—1899, \$25 nonresident county license; 1903, \$15 nonresident State license.

Wisconsin.—1897, \$30 nonresident deer license, \$1 resident deer license; 1899, nonresident deer license fee reduced to \$25, \$10 nonresident license for other game, \$1 resident license for all game.

Wyoming.—1886, Nonresidents prohibited from hunting game animals; 1895, \$20 nonresident county license for big game; 1899, fee increased to \$40; \$1 resident gun license for hunting big game outside county of residence; 1903, nonresident license fee increased to \$50.

British Columbia.—1890, \$50 nonresident license for big game (members of army, navy, and Canadian militia exempt).

Manitoba.—1890, \$25 nonresident license.

New Brunswick.—1878, \$20 nonresident license (fee \$5 for officer of army or navy); 1897, \$20 nonresident, \$2 resident licenses for moose or caribou, nonresidents required to give \$100 bond, with two resident sureties; 1900, fee for nonresident license for hunting moose and caribou increased to \$30; \$30 nonresident license for hunting in Westmoreland County; 1903, 25 cent resident license for hunting in Westmoreland County.

Newfoundland.—1889, \$100 nonresident caribou license (officers of British war ships stationed on coast for fisheries' protection exempt); 1899, caribou license fees reduced as follows: \$40 for 2 stags and 1 doe, \$50 for 3 stags and 1 doe, \$80 for 5 stags and 2 does; 1902, \$100 nonresident license permitting killing of 3 stag caribou; 1903, fee reduced to \$50.

Northwest Territories.—1893, \$5 nonresident license for big game or birds (five-day licenses free to guests of residents); 1898, nonresident license for all protected game increased to \$15, guest license abolished; 1899, \$1 five-day license for hunting by nonresident guest of resident, \$15 nonresident license for calendar year (all big game and birds); 1903, \$25 nonresident license for all game and \$15 nonresident license for birds.

Nova Scotia.—1884, \$30 nonresident moose license and \$10 nonresident bird license (\$5 fee for officers of army and navy, members of Game Protection Society exempt); 1896, \$30 nonresident license for big game, \$10 nonresident license for birds, hares, and rabbits (\$5 fee restricted to officers stationed at Halifax, employees of Provincial or Canadian government, persons formerly domiciled in Nova Scotia, and nonresidents paying \$20 real-estate tax exempt); 1902, big game license modified to cover all game and fee increased to \$40; 1904, special \$30 nonresident license required for moose.

Ontario.—1888, \$10 nonresident license for deer (shareholders of incorporated company hunting on lands of company exempt); 1892, \$25 nonresident license for big game or birds; 1896, \$2 resident license for deer; 1900, \$5 resident license for moose, reindeer, or caribou.

Quebec.—1882, \$20 nonresident license; 1884, residents of Ontario exempted and lieutenant-governor in council empowered to grant hunting permits at lower rate or gratuitously; 1887, \$5 license permitting residents to kill 5 caribou and 5 deer above regular limit, \$10 fee to members of incorporated hunting and fishing clubs; 1895, number of extra caribou and deer allowed under \$5 license reduced to 3; nonresident licenses as follows: \$30, all game; \$25, big game and fur-bearing animals; \$20, game birds; \$10, game birds in the Gulf of St. Lawrence; half rates for members of incorporated fish and game clubs; 1897, nonresident license fees fixed by lieutenant-governor in council, lower rates for members of incorporated fish and game clubs leasing hunting reserves.

DETAILS OF LICENSES.

The various matters connected with the issue of licenses may be conveniently considered under four heads—forms of licenses, fees, details of issue, and exemptions or privileges.

FORMS OF LICENSES.

It is interesting to note the development in the form of the license. Some States, like Delaware, Florida, and North Dakota, still issue a simple license to hunt or kill game. Others, like New Hampshire, New Jersey, and Pennsylvania, have adopted forms which, to prevent transfer, contain a description of the holder. Illinois in 1901 went a step further and required that the owner's photograph appear on the license. After two years' trial this feature was discontinued, but simultaneously with its abandonment by Illinois it was adopted by Indiana (see Pl. III), and in 1904 by Baltimore County, Md. New Brunswick in 1897 required the licensee to give a \$100 bond with two resident sureties.

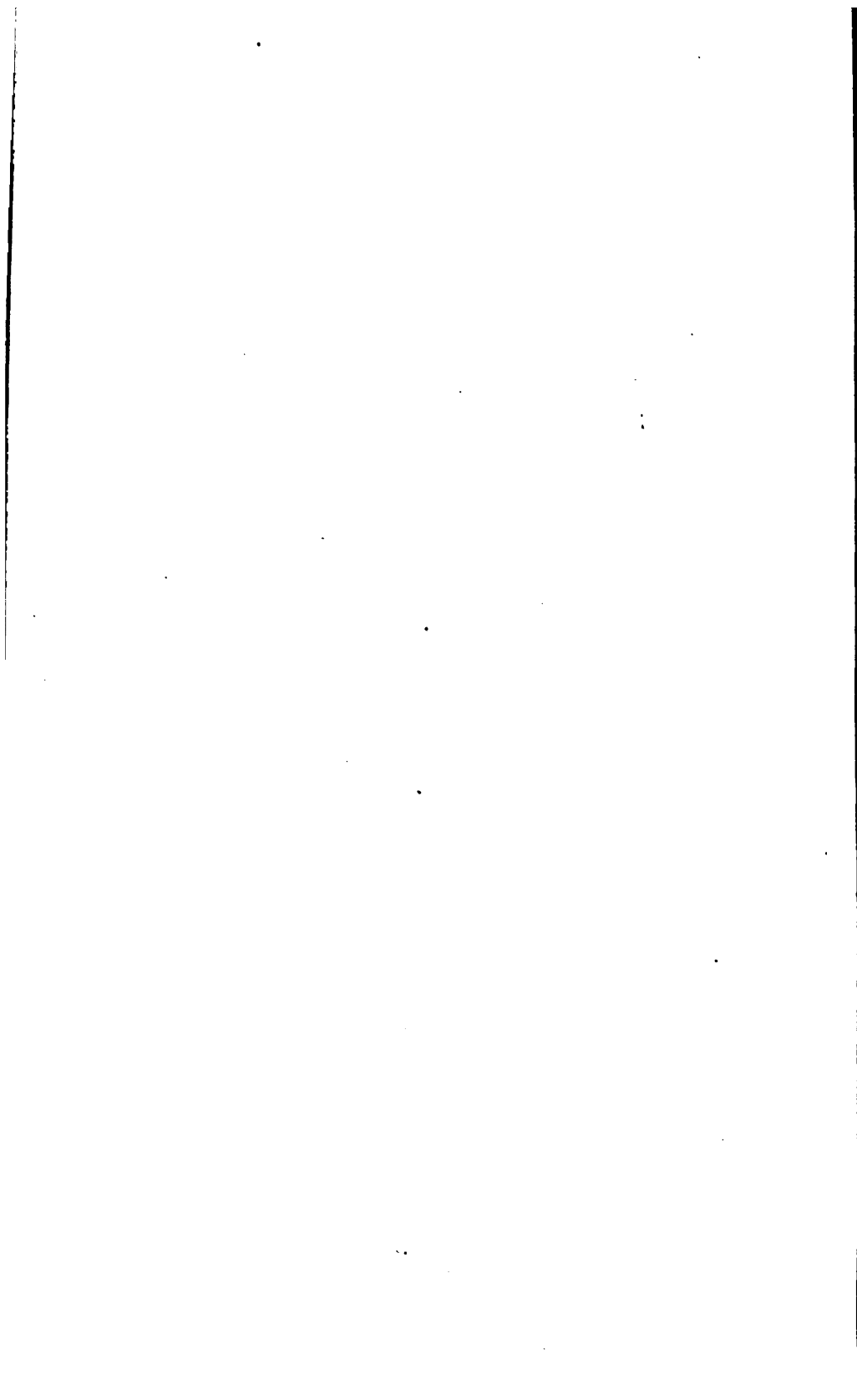
The most complete form of license is the coupon license, (see Pl. VI), first devised by Michigan in 1897, and since adopted by Colorado, Maine, Minnesota, Montana, Wisconsin and Wyoming. It is designed to allow shipment of a certain specified quantity of fish or game by the holder, and at the same time to maintain a check on such shipments. Each license is provided with a number of coupons corresponding to the number of deer or other game which may be lawfully shipped, and one of these coupons must be attached to each head, carcass, or skin, before shipment. Several improvements have been made developing slightly differing forms, but the best is probably that in use in Minnesota. This license contains an abstract of the law, is mounted on cloth and is arranged to fold conveniently so that it can be carried in the pocket without injury, and each coupon is provided with a metal eyelet to facilitate attachment to the game (see Pl. IV).

A form of nonresident license reciprocal in nature has been adopted in a few States. It originated in Minnesota in 1895, and was adopted with some modifications by New York in 1900–1902, Tennessee in 1903, and Kentucky in 1904, but has now been abandoned by Minnesota and further modified by New York. As originally enacted in Minnesota it was a simple \$25 nonresident license but applicable only to "citizens of such States as have restrictive laws against nonresident hunters." New York changed the scheme so as to make the law general, but provided that the fee should be the same as that charged nonresidents in the applicant's State. In 1903 it modified the law so as to empower the forest, fish, and game commissioner to fix a fee for licensees from

<p style="text-align: center;">Photograph and Description of Licensee under Hunting License</p> <p style="text-align: center; font-size: 1.2em;">No. _____</p> <hr style="margin-top: 20px;"/> <p>DESCRIPTION: Age _____ years; height _____ feet _____ inches; weight _____ pounds; complexion _____ color of hair _____; color of eyes _____; distinctive marks _____</p>	<p style="text-align: center; font-size: 2em;">Hunter's License</p> <p style="text-align: right; margin-right: 50px;">No. _____</p> <p style="text-align: center;">STATE OF INDIANA, COUNTY OF LAKE, ss:</p> <p style="text-align: center;">This Certifies That _____</p> <p style="text-align: center;">of _____ County, State of _____</p> <p style="text-align: center;">has complied with the law authorizing the issuance of hunting license to nonresidents of the State of Indiana, and is hereby licensed to hunt animals here in the State of Indiana for the period of one year from the date of this license.</p> <p style="text-align: center;">WITNESS, The signature of the Clerk, and the Seal of the Circuit Court of said County, at Crown Point,</p> <p style="text-align: center;">this _____ day of _____ 19__</p> <p style="text-align: right; margin-right: 20px;">_____ Clerk Lake Circuit Court</p>
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THE PHOTOGRAPH LICENSE OF INDIANA, 1903.

Size 7½ by 9½ inches, printed on buff cardboard, and folded for mailing or carrying in the pocket.



States which have no fees for nonresident licenses. Tennessee and Kentucky adopted the general plan of the New York law of 1902.

The reciprocal license is experimental and has been adopted only in States which have not yet established a regular license, or where the usual form of license has proved unsuccessful. At first sight it seems to have much in its favor, since it taxes only hunters from States where the nonresident license system is in force, but the requirement is very difficult of enforcement and its inequalities are likely to arouse resentment. The Minnesota law, which was one of the first in the country providing for general licenses, proved a failure, and thus far the New York law has been a dead letter. Kentucky apparently adopted the plan chiefly because its own first high-license law was not a success, while the Tennessee law was proving more effective. Tennessee is, in fact, the only State in which this method seems to have accomplished its purpose. If each State had a single fixed rate it might be possible to carry out the idea with some degree of success, but when the applicant is a resident of a State where separate rates are in force for large and small game, as in Idaho, Minnesota, Colorado, Montana, North Dakota, South Dakota, and Wisconsin, it is not easy to do so; and when he resides in a State like Maryland, where the license fee varies with each county, it is difficult to determine what rate he should be charged. The question is still further complicated by exemptions allowed landowners, as in North Dakota, or guests, as in Maryland and Virginia. Furthermore, it is not clear what is expected of a nonresident from New York hunting in Kentucky or Tennessee, or vice versa. Apart from these administrative difficulties the law is likely to create friction in a rigid enforcement of its provisions. Two residents from Maryland, for example, hunting in the Adirondacks might think it unfair that one should be charged \$5 and the other \$25 because the first happened to be a resident of Dorchester County and the second of Garrett County; and it would be equally irritating to two residents of Maryland hunting on the same estate in Tennessee by invitation of the owner if one, being from Washington County, should have the privilege without charge, while the other, being from Garrett County, should have to pay a fee of \$25, because Washington County exempts from the license laws nonresidents hunting by invitation on their host's land, while Garrett County makes no such exemption.

FEES.

The fees charged for nonresident licenses have varied from \$1 to \$500, those for resident licenses from 25 cents to \$5. One dollar is the present rate charged residents and nonresidents alike in Washington^a (see Pl. VII), and \$500—probably the highest game license fee in the

^a Although Washington, in 1903, actually established the first low uniform fee for residents and nonresidents in the United States, the same principle was advocated eight years earlier in Illinois in a bill which failed to pass the legislature in 1895. (See footnote, p. 17).

world—that formerly required for a nonresident market-hunting license in South Carolina. Other high licenses are those for caribou in Newfoundland, \$100, in 1889 and 1902, but now reduced to \$50, and the present \$50 license fees for big game in British Columbia and Wyoming (see Pl. VII). Apparently the rate is often fixed without regard to the kind of game which the State has to offer, and is influenced more or less by the fees prevailing in neighboring States. Thus Indiana and Ohio, which have no big game, require nonresidents to pay \$25, the same rate which is required in Idaho and Montana, where deer, elk, goats, and other big game may be obtained. Maine, which has excellent big game hunting, exacts but \$15, and Utah but \$10, while South Carolina, which offers little beside game birds, until recently required \$25, and made the license good only in the county in which it was issued. Maine and New Brunswick both have moose and deer and offer much the same opportunity for hunting, but the fee in New Brunswick is \$30, or exactly twice that in Maine. The tendency at the present time seems to be in the direction of a license of \$25 for big game and \$10 for game birds, both good throughout the State. The only States in which county licenses still prevail are Florida, Georgia, Iowa, Maryland, South Dakota, and Washington. In Colorado they are also issued to nonresidents hunting birds.

DETAILS OF ISSUE.

The following table shows the States that require nonresident licenses, the amounts of the fees, the officials from whom licenses are obtainable, the disposition of the fees, and the limitations as to the amount of game that may be exported.

Details of Nonresident Licenses for hunting game.^a

State.	Fee.	By whom issued.	Disposition of fee.	Export limit; remarks.
Arkansas				Nonresidents not permitted to hunt.
Colorado	\$25(all game).	Commissioner of game.	Game protection.	Export allowed under permit.
	\$1 per day (birds).	....do.....	....do.....	County license for birds, \$2 first day.
Delaware.....	\$5 first year, \$2 thereafter.	Delaware Game Protective Association.	....do.....	Export of rabbits, quail, partridges, woodcock, robins, Wilson snipe prohibited.
Florida ^b	\$10.....	Clerk county circuit court.	....do.....	Export of deer, quail, wild turkeys prohibited. County license.
Georgia.....	\$25.....	County ordinary...	County treasury..	County market hunting license. Export of quail prohibited.

^a For exemptions see pp. 30-32.

^b License not applicable to counties having special game laws.

Details of Nonresident Licenses for hunting game—Continued.

State.	Fee.	By whom issued.	Disposition of fee.	Export limit; remarks.
Hawaii (Oahu)	\$5.....	Treasurer .....	.....	.....
Idaho.....	\$25(all game) ..	State warden or deputy, justice of the peace.	Game protection ..	2 deer, 1 ibex, 1 goat, 1 sheep, 1 elk per season.
	\$5 (birds).....	.....do.....	.....do.....	Export of birds pro- hibited.
Illinois	\$15.....	County clerk.....	.....do.....	50 birds.
Indiana	\$25.....	Clerk of circuit court of county.	.....do.....	24 birds.
Iowa	\$10.....	County auditor .....	.....do.....	25 of all game. County license.
Kentucky	(a)	County clerk.....	State treasury	Export prohibited.
Louisiana	\$10.....	Sheriff of parish	Game protection ..	1 deer, 12 birds.
Maine (moose and deer).	\$15.....	Commissioners of inland fisheries and game.	.....do.....	1 moose, 2 deer per sea- son.
	\$5 (ducks and shore birds). ^b	.....do.....	.....do.....	.....
Maryland.....	\$4.50-\$25.....	Clerk of circuit court.	Schools, roads, or general county expenses.	Separate county laws, with varying export provisions.
Michigan.....	\$25 (deer)	County clerk.....	Game protection ..	Export prohibited.
Minnesota.....	\$25(big game) \$10 (birds).	Board of game and fish commission- ers.	.....do.....	2 deer, 1 moose, 1 car- ibou, 25 birds.
Missouri.....	.....	.....	.....	Nonresidents not per- mitted to hunt.
Montana	\$25(big game); \$15 (birds).	State game and fish warden.	Game protection ..	6 deer, 2 elk, 6 goats per season; 20 grouse, prai- rie chickens, fool hens, pheasants, sage hens, partridges, doves per day.
Nebraska.....	\$10.....	Game and fish com- missioner.	Schools.....	50 birds.
New Hampshire...	\$10 (deer)	Fish and game com- missioner.	Game protection ..	2 deer. Export of birds prohibited.
New Jersey.....	\$10.....	County clerk.....	.....do.....	Export of upland game, except wild turkeys, prohibited. License not required for water- fowl, snipe, or mud hens.
New York	(a)	Forest, fish, and game commis- sioner.	State treasury	Export prohibited.
North Carolina ...	\$10.....	Clerk superior court.	Game protection ..	50 quail.
North Dakota.....	\$25.....	County auditor	(c)	Export prohibite ¹ .
Ohio.....	\$15.....	County clerk.....	Game protection ..	50 of all game.

^a Rate of State of nonresident.^b In Knox, Lincoln, Sagadahoc, and Waldo counties, and the townships of Brunswick, Freeport, and Harpswell in Cumberland County.^c 20 per cent State treasury, 70 per cent game protection, 10 per cent county auditor.

HUNTING LICENSES.

Details of Nonresident Licenses for hunting game—Continued.

State.	Fee.	By whom issued.	Disposition of fee.	Export limit; remarks.
Oregon	\$10.....	Game and forestry warden.	State treasury	Market hunting. Export prohibited, except that Washington hunter may take one day's bag.
Pennsylvania	\$10.....	County treasurer....	50 percent county treasury; 50 percent game protection.	Export prohibited.
South Dakota	\$25 (big game);	.....do.....	Game protection ..	3 deer, 1 elk, 1 buffalo, 1 sheep, 15 birds. County license. Licensee must be in charge of qualified guide.
Tennessee	\$10 (birds).....	.....do.....	.....do.....	State license.
Utah	(a) \$10.....	State game warden. County fish and game warden.	State treasury (?) State treasury	Export prohibited.
Virginia	\$10.....	County clerk.....	Game protection ..	1 deer, 50 quail, 10 pheasants or grouse, 3 wild turkeys, 30 water fowl, 25 each or 100 in all of plover, snipe, sandpipers, willets, tatters, and curlews.
Washington	\$1.....	County auditor	Game protection ..	Export prohibited, except that Oregon hunter may take 1 day's bag. County license.
West Virginia	\$15.....	State game warden.	State treasury	Export prohibited of deer, quail, ruffed grouse, pheasants, and wild turkeys.
Wisconsin	\$25 (all game); \$10 (small game).	Secretary of state ..	Game protection ..	2 deer, 2 rabbits, 2 squirrels, 50 birds.
Wyoming	\$50.....	Justice of the peace.	.....do.....	2 deer, 2 elk, 2 antelope, 1 sheep, 1 goat. Licensee must employ guide.
British Columbia..	\$50.....	Any Government agent.	.....do.....	10 deer, 2 elk, 2 moose, 5 caribou, 5 goats, 5 sheep, under license. No birds.
Manitoba	\$25.....	Minister of agriculture and immigration.	.....do.....	Export prohibited.
New Brunswick ...	\$30 (moose and caribou).	Surveyor-general, chief game commissioner, any game warden.	Game protection ..	1 moose, 1 caribou.
	\$30 (deer and game birds).	.....do.....	.....do.....	2 deer. License required only in Westmoreland County.

a Rate of State of nonresidents.

Details of Nonresident Licenses for hunting game—Continued.

State.	Fee.	By whom issued.	Disposition of fee.	Export limit; remarks.
Newfoundland	\$50 (caribou).	Minister of marine and fisheries, stipendiary magistrate, justice of the peace.	Game protection .	3 caribou, under license and permit.
Northwest Territories.	\$25 (all game); \$15 (birds).	Game guardian ....	.....	Trophies of 3 deer, 3 elk, 3 moose, 3 caribou (2 of each in South-eastern Assiniboia).
Nova Scotia	\$40 (all game); \$30(moose); \$10 (birds, hares, and rabbits).	Provincial secretary, county clerk, chiefgame warden.	Game protection .	2 moose.
Ontario.....	\$25.....	Chief warden .....	.....do.....	2 deer, 1 moose, 1 caribou, 100 ducks.
Quebec.....	\$25 (general license); \$20 (animals); \$10 (birds); \$1.50 a day (birds).	Commissioner of lands, forests, and fisheries.	.....	Separate license required for shooting game birds in Gulf of St. Lawrence.

The corresponding details for resident licenses are shown in the following table:

Details of Resident Licenses for hunting game.

State.	Fee.	By whom issued.	Disposition of fees.	Remarks.
Colorado	\$1.00	Commissioner or county clerk.	25 cents to clerk, 25 cents county fund, 50 cents game fund.	Expires Dec. 31.
Hawaii (Oahu)	5.00	Treasurer .....	.....	Good for one year from date of issue.
Idaho	1.00	State warden, justice of peace.	Game protection .	Expires Feb. 15.
Illinois	1.00	City, village, or county clerk.	.....do.....	Expires June 1; not required of one hunting on land which he owns or occupies.
Indiana	1.00	Game commissioner	.....do.....	Required for waterfowl, Oct. 1 to Nov. 10.
Maryland	1.00	County clerk.....	Schools.	Somerset County.
Michigan.....	.75	.....do.....	25 cents to clerk, 25 cents to State warden service, 25 cents to county warden service.	Deer only.
Minnesota.....	\$1.00	County auditor	Game protection .	Big game only; expires Dec. 31.

HUNTING LICENSES.

Details of Resident Licenses for hunting game—Continued.

State.	Fee.	By whom issued.	Disposition of fees.	Remarks.
Nebraska.....	1.00	Game commissioner	Schools.....	Necessary outside county of residence; expires Dec. 31.
North Dakota .....	.75	County auditor	20 per cent to general fund, 10 per cent to county auditor, 70 per cent to wardens.	Not required by citizen hunting on his own land; expires Dec. 31.
South Dakota	1.00	County treasurer...	Game protection .	Big game only; county license; licensee must be in charge of qualified guide.
Washington	1.00	County auditor ....	.....do	County license.
Wisconsin	1.00	County clerk	Warden fund.....	
Wyoming	1.00	Justice of the peace.	Payment wardens and attorneys.	Big game; not required in county of residence; expires Dec. 31.
New Brunswick... {	2.00 .25	{ Chief game commissioner, any game warden.	{ Game protection .	{ Moose and caribou. Deer and game birds in Westmoreland County.
Ontario..... {	5.00 2.00	{ Chief warden	{do	{ Moose and caribou. Deer.
Quebec	5.00	Commissioner of lands, forests, and fisheries.	.....do	3 deer and 3 caribou in excess of bag limit.

EXEMPTIONS.

One of the chief objections to nonresident license laws, and one of the features which usually causes the greatest hardship, is that requiring nonresidents who own land within the State to secure licenses. To meet this difficulty several States have made special exceptions in their laws. These exceptions merit mention with some detail to show the various solutions of the question which have been proposed.

Montana exempts taxpayers, and New Hampshire those who own real estate within the State to the value of \$500. New Jersey excepts nonresident owners of freehold estates and their sons, and North Dakota allows nonresidents owning or cultivating quarter sections of land to take out resident licenses in the county where the land is situated. Pennsylvania, in the act of 1901, made an exception in favor of owners of real estate, but repealed the provision in 1903. South Carolina (law no longer in force) and Tennessee and West Virginia make exceptions in favor of landowners hunting on their own property. Tennessee makes a further exemption in the case of nonresidents who pay \$100 in taxes in the State, and Virginia allows nonresident children and guests of resident landowners to hunt on the lands of their parents or hosts if the guest is accompanied by his host or a member of his family and the host receives no compensation, directly or indirectly.

[illegible]

Illinois license 52 by 74 inches, printed on light-blue glazed paper and mounted on linen.
Minnesota license 8 by 9 inches, printed on buff cardboard with shipping directions on back; coupons with metal eyelets.

In Maryland special exceptions regarding landowners prevail in some of the counties. Dorchester County excepts nonresident landowners or their relatives, and relatives or connections by marriage of residents; Kent exempts nonresidents owning lands, and tenants in lawful possession of real estate; and under an act passed in 1904 regulating hunting on the Patuxent River those persons are considered bona fide residents of the State that belong to any incorporated hunting club whose membership does not exceed 30, and which owns or leases real estate within a mile of the river, and has improved its property by a club-house.

Other exceptions are based on other considerations. Idaho requires no license from women, and prohibits children under 12 from obtaining licenses. Wyoming excepts bona fide minors; North Dakota, children under 16 if they have the written consent of their parents or guardians to hunt; and Washington, in the law of 1901, excepted boys under 16, a provision which caused the law to be declared unconstitutional by the circuit court of Spokane County. Washington County, Md., makes the provision of its license law inapplicable to hunting along the Potomac River, and exempts residents of the District of Columbia as well as Maryland.

Illinois inserted a provision in its law permitting nonresidents to hunt without a license on the lands of another by invitation. This proviso was declared void by the attorney-general of the State, but merely because of ambiguity, owing to its location in the law. A similar exemption of guests of residents or landowners is in force in many counties of Maryland, and visiting sportsmen often secure invitations instead of licenses.^a Kent County, Md., issues licenses at one-third the regular rate to nonresidents invited by landowners.

In some of the Canadian provinces exceptions are made in favor of army and navy officers. For example, British Columbia does not require licenses of officers of the army and navy or of the Canadian militia in actual service, Newfoundland allows officers of British war vessels stationed on the coast for the protection of fisheries to employ unlicensed guides and to hunt caribou without license, and Nova Scotia excepts officers stationed at Halifax, provided they are members of the Game and Inland Fishery Protection Society.

Some of these exemptions have practically nullified the laws or made them very difficult of enforcement. Thus it was found in Pennsylvania that nonresidents would purchase a few acres of wild land to secure immunity from the license law, and the secretary of the game commission of that State advised in his report for 1902 (p. 5) that the

^a Guests of landowners require no licenses in any of the counties of the State except Allegany, Caroline, Dorchester, Garrett, Kent, Somerset, Talbot, and Worcester.

nonresident hunter should be required to pay the license fee, as in adjoining States, regardless of the ownership of property.

The North Dakota exemption in favor of nonresidents owning or cultivating a quarter section of land has been made use of to evade the payment of the license fee. The game warden of the second district of this State says:

I believe that all nonresident hunters should be required to pay the full fee of \$25, and see no good reason why an exception should be made in favor of those who are the owners of land in the state. A fraudulent use, I think, is frequently made of this latter clause, as it is an easy matter to temporarily transfer the title of land in order to evade the payment of \$25, for a permit. It would only be fair in case all nonresidents are charged the \$25 fee if they were granted some privileges in regard to shipping game out of the state.

Of the Wyoming provision exempting from the payment of the resident license fee citizens hunting in their own counties, the State game warden says in his report for 1903 (pp. 3-4):

The law as it stands is difficult to enforce, produces but little revenue and is useless as a means of identification.

With a nonresident gun license of fifty dollars, the temptation is strong for unscrupulous hunters to sneak in from adjoining States and pose as citizens of Wyoming; and an officer must rely upon his acquaintance with the people of his own county for detection of such fraud.

Whatever may be said of the injustice of requiring nonresidents to take out licenses to hunt on their own property or on the lands of a club to which they may belong, the contention that such a provision is unconstitutional in depriving a person of his property has not been sustained in the single case which has been tried in the higher courts. (*In re Eberle*, see p. 48.)

Another provision frequently regarded as an unnecessary hardship is that even after securing a license nonresidents are sometimes prohibited from carrying home any of the game which they secure. Such restrictions are in force in Delaware, Florida, Kentucky, Maryland, Michigan, New Jersey, North Dakota, Pennsylvania, Utah, and West Virginia, and also in Manitoba. In other States which issue nonresident licenses an exemption in the nonexport law allows the holder to take with him out of the State a certain amount of game for his own use, usually on condition that it shall be carried openly. Some such provision seems no more than just when the State exacts a fee of from \$5 to \$50 for the privilege of securing game, which, in some cases at least, can not be fully enjoyed unless the owner can take it home.

The absence of such a provision and the failure to permit nonresident landowners to hunt on their own property account for most of the irritation aroused by nonresident license laws. The shipping privilege can be easily arranged and has already been recognized by most States. The other obstacle is not so easily overcome, and a satisfactory solution has not as yet been devised.

OBJECTS OF HUNTING LICENSES.

NONRESIDENT LICENSES.

The objects of nonresident licenses, although variously stated, may be practically reduced to two: (1) To restrict hunting, especially on the part of those who are not citizens of the State, and (2) to raise funds for game protection by requiring nonresidents to contribute to the expense of preserving the game. The annoyances occasioned by hunting on the part of irresponsible persons who are not citizens of the State are by no means peculiar to the present day. They were evidently experienced by the early colonists, as shown by the preamble of the North Carolina law of 1768, in which the reasons for discriminating against nonresidents are quaintly expressed as follows:

Whereas, by the before recited act, [Laws of 1745, Chap. III], persons who have no settled habitation, or not tending 5000 cornhills are prohibited from hunting, under the penalty of five pounds and forfeiture of his gun; which by experience has been found not to answer the purposes intended by the said act; many disorderly and dissolute persons having no habitation of their own, still continue to hunt on the King's waste and the lands of other persons, and kill deer, and leave the carcasses in the woods, by which means the wolves, bears and other vermin, are fed and raised; to the great damage of many of the inhabitants of this Province; and the fines being difficult of recovery, by means of persons having no property of their own, assembling in great numbers and camping in the woods, and kill deer, burn and destroy the range, burn fences and commit many other injuries to the inhabitants of this Province; and associate for the mutual protection and defence of each other, against any person or persons who shall attempt to execute any precept on any of them: * * *

The necessity for restricting hunting is now greater in some States than in others, particularly in those which are likely to be overrun with hunters from large cities in adjoining States. New Jersey affords a striking example of this kind. A State of comparatively small area, with New York City on her northern border and Philadelphia on her southwestern border, her stock of game is peculiarly subject to depletion by hunters from these cities, and a nonresident license fee affords a means of preventing many of them from hunting in the adjoining counties within her borders. The fact that Pennsylvania, Delaware, and other States had adopted the license system induced New Jersey to follow their example. The reason for this course was thus expressed in the preamble to the act of 1902 (Laws of 1902, chap. 263):

Whereas, Sister states have, by legislation, required all non-residents (including residents of the state of New Jersey) to take out licenses before hunting or gunning in such states, respectively, and imposed license fees therefor and provided for the punishment for such as should violate the provisions of such acts; now, therefore,

Be it enacted by the State and General Assembly of the State of New Jersey:

1. Every non-resident of this state shall be required to take out a license before he shall begin hunting or gunning in this state, * * *

Pennsylvania in 1903 further developed the protection idea by requiring not only every nonresident, but also every unnaturalized foreign-born resident of the Commonwealth to take out a license from the treasurer of the county in which he proposed to hunt, for which he must pay a fee of \$10. (Acts of 1903, p. 178.) This provision, which has recently been adopted by Louisiana, seems to offer a practical solution of the problem of controlling the ever increasing number of foreigners of certain classes who destroy birds and game of all kinds in the neighborhood of large cities despite laws and wardens.

The principle on which the nonresident license is founded, besides the general one of protection of the game from irresponsible and unidentifiable hunters on which all hunting licenses are based, is the preservation of the benefits of residence within a community for the use of its own citizens. The game of a State is held to belong to the people of the State and is preserved primarily for their own use. When, therefore, nonresidents desire to enjoy the privileges of residents they are required to pay a reasonable fee for such concession on the part of the State. This requirement is the one which is considered more important by some States. Thus Illinois in the game law of 1901, section 26, declares:

For the purpose of increasing the game-protection fund, and preventing unauthorized persons from killing game and birds, no person, not a resident of the State of Illinois, shall at any time hunt, pursue or kill, with gun, any of the wild animals, fowls or birds that are protected during any part of the year without first having procured a license so to do, * * *

In several States, notably Maine, North Carolina, Washington, and Wyoming, the State depends largely upon the income from this source for game protection; in most States although the returns are considerable they do not by any means constitute the chief source of income for the game-protection fund. Efforts have been made to ascertain the income derived from licenses in the several States, as well as in the Provinces of Canada, for the years 1902 and 1903. Difficulty, however, has been encountered in obtaining satisfactory statistics owing chiefly to the different methods of issuing licenses and the fact that in some States the issue is intrusted to local officers, so that the full returns for the State are practically inaccessible. The following table shows the number of licenses and amount of fees received therefor in 22 States and 6 Provinces during the past two years. In several States license laws were not in force in 1902, and in others statistics for 1902 are not available, although they have been furnished for 1903.^a

^a The figures for Washington are inseparable from those for resident licenses and are given in the table on p. 38. The States and Provinces from which no returns were received are: New York, Pennsylvania, Florida, Indiana, Iowa, South Dakota, Oregon, Hawaii, British Columbia, and Quebec. In New York no licenses were issued, and in Oregon the law requires none except for market hunting by nonresidents. The receipts were probably small in all the other States except possibly in South Dakota.

Nonresident Licenses issued in 1902 and 1903.

State.	Rate.	1902.			1903.			Remarks.
		No.	Amount.	Total amount.	No.	Amount.	Total amount.	
Colorado	\$25.00				29	\$725.00	\$746.00	General license. Bird license, \$1 per day (\$2 first day).
					5	21.00		
Delaware.....	5.00	246	\$791.00	\$791.00	115	1,027.00	1,027.00	
	2.00							
Idaho	25.00	(a)	(a)	(a)	20	500.00	1,735.00	
	5.00							
Illinois	10.00	570	5,985.00	5,985.00	250	3,750.00	3,750.00	Rate in 1903, \$15. 4 counties.
Kentucky	25.00	4	100.00	100.00				
Maine	15.00	(a)	(a)	(a)	1,697	25,455.00	25,455.00	Total number, 25 in 1902, 25 in 1903.
Maryland				151.50			131.50	
Caroline.....	4.50	2	9.00		2	9.00		
Cecil	5.00	16	80.00		14	70.00		
Dorchester	5.00				1	5.00		
Howard	7.50	3	22.50		3	22.50		
Kent	5.00	2	10.00		5	25.00		
Montgomery	15.00	2	30.00					
Michigan.....	25.00	53	1,325.00	1,325.00	45	1,125.00	1,125.00	
Minnesota	25.00				131	3,275.00	5,295.00	
	10.00				202	2,020.00		
Montana	25.00	33	825.00	970.00	61	1,525.00	1,690.00	
	15.00	9	145.00		11	165.00		
Nebraska	10.00	64	640.00	640.00	84	840.00	840.00	
New Hampshire.....	10.00	(a)	(a)	(a)	135	1,350.00	1,350.00	
New Jersey.....	10.00				301	3,010.00	3,010.00	
North Carolina.....	10.00	(a)	(a)	(a)	911	9,110.00	9,110.00	
North Dakota	25.00				83	2,075.00	3,075.00	First district.
	25.00				40	1,000.00		Second district.
Ohio.....	25.00	15	375.00	375.00	17	425.00	425.00	
Tennessee		(a)	(a)	(a)	40	200.00	325.00	Total includes 5 market hunters' licenses, \$125.
Utah	10.00	(a)	(a)	(a)	30	300.00	300.00	
Virginia	10.00	(a)	(a)	(a)	254	2,540.00	2,540.00	
West Virginia	15.00				29	435.00	435.00	
Wisconsin	25.00	293	7,325.00	9,925.00	361	9,025.00		All game.
	10.00	260	2,600.00		298	2,980.00	12,005.00	Small game.
Wyoming	50.00				158	7,900.00	7,900.00	
Manitoba.....	25.00	36	900.00	900.00	30	750.00	750.00	
New Brunswick....	30.00	287	8,610.00	8,610.00	338	10,140.00	10,140.00	
Newfoundland	100.00	46	4,600.00	4,600.00	72	3,600.00	3,600.00	Rate in 1903, \$50.
Northwest Ter.....	15.00	19	285.00	285.00	17	255.00	255.00	
Nova Scotia	40.00	33	1,320.00	1,510.00	30	1,200.00	1,380.00	
	10.00	19	190.00		18	180.00		
Ontario.....	25.00	200	5,000.00	5,000.00	259	6,475.00	6,475.00	

^a No law in force.

^b Based mainly on a report by L. T. Christian in the Richmond Times-Dispatch of August 21, 1904, supplemented by a few reports from county clerks. Following are the number of licenses issued in each county in 1903: Albemarle, 2; Alexandria, 13; Alleghany, 1; Augusta, 4; Amelia, 16; Bath, 4; Brunswick, 6; Bland, 4; Buckingham, 9; Caroline, 18; Charlotte, 2; Culpeper, 2; Dinwiddie, 1; Essex, 7; Fairfax, 5; Fauquier, 2; Franklin, 2; Frederick, 4; Gloucester, 2; Greenville, 4; Henrico, 8; Isle of Wight, 1; James City, 2; King William, 10; Louisa, 4; Lunenburg, 6; Middlesex, 13; Montgomery, 1; New Kent, 3; Nottoway, 2; Orange, 3; Page, 4; Pittsylvania, 2; Prince George, 12; Princess Anne, 44; Prince William, 1; Richmond, 5; Roanoke, 2; Shenandoah, 1; Smyth, 2; Southampton, 1; Spottsylvania, 1; Stafford, 5, and Sussex, 13. Total, 254. The only counties not heard from are Accomac, Giles, Hanover, Mecklenburg, and Powhatan.

The foregoing table shows that the number of licenses issued was as follows: In 1902, 1,572 licenses in 9 States and 640 licenses in 6 Canadian Provinces, or a total of 2,212 licenses in 15 States and Provinces; in 1903, 5,779 licenses in 21 States and 764 licenses in 6 Canadian Provinces, or a total of 6,543 licenses in 27 States and Provinces. While the receipts from nonresident licenses in 1903 exceeded those of the previous year, they ran above \$1,000 in only 14 States and 4 Provinces, and exceeded \$5,000 in only 5 States and 2 Provinces. Maine collected the largest amount (\$25,455) and Wisconsin the next largest (\$12,005). The smallest amount was \$131, collected in Maryland, where licenses were issued in only 5 of the 23 counties.

Investigation of the disposition of the funds will show that in most cases receipts from licenses are utilized for the protection of game. Maine, in 1903, provided that the money received from nonresident licenses should be expended for protection of moose and deer and for compensation for "actual damage done growing crops by deer." In a few States, however, the proceeds are turned into the general treasury or the school fund. Thus, in New York, West Virginia, Kentucky, Tennessee, Oregon, and Utah they are covered into the general treasury, and in Georgia into the county treasury. In Pennsylvania one-half of the total receipts is paid into the county treasury. In North Dakota 20 per cent goes into the general treasury, 10 per cent is paid to the county auditor, and 70 per cent is added to the game fund. In Maryland (except in a few counties) and Nebraska the receipts are turned over to the school fund. Again, examining the table from this standpoint, it will be noticed that the States which turn the money over to the school fund or to the general treasury are the ones which show the smallest returns. Thus, in 1903, Maryland collected only \$131 and Nebraska \$840 for the school fund. Utah collected \$300 and West Virginia \$435 for the general treasury. Where the money is not applied to the protection of game, which is the ultimate source of this income, less interest seems to be taken in enforcing license laws, and the license system as a source of income makes but a small showing. Again, the experience of some States shows that interest is apt to be lax if the proceeds from the sale of licenses are turned into a general State fund instead of being retained in the county in which they accrue, even though such general fund is devoted to the enforcement of game laws, and it has been suggested as desirable to allow each county to use for its general expenses at least 50 per cent of the proceeds, and thus give it a direct financial interest in the amount raised.

RESIDENT LICENSES.

Resident licenses, unlike those issued to nonresidents, are not intended so much to restrict hunting as to regulate it. The chief uses they subserve are raising funds for the protection of game and pro-

viding a system of identifying hunters. And by requiring everyone who hunts to be registered, they may afford indirectly a valuable means of collecting statistics not otherwise obtainable, concerning the number of persons hunting in the State, approximately the amount of big game killed, and the principal hunting places.

With the exception of a small fee allowed to the officer issuing the license, usually prescribed in addition to the regular license fee, the proceeds from resident licenses are used for the protection of game. Apparently the only important exceptions are in North Dakota and Michigan. In North Dakota, but 70 per cent is devoted to game protection, 10 per cent being paid to the auditor and 20 per cent to the general treasury of the State. In Michigan 25 cents is allowed the clerks for issuing the licenses, so that the cost to the State of collecting the fees is 33 per cent of the total resident tax.

The following table shows the number of resident licenses issued in each State in 1902 and 1903 and the amounts paid therefor:

Resident Licenses issued in 1902 and 1903.^a

State.	Rate.	1902.		Rate.	1903.		Remarks.
		No.	Amount.		No.	Amount.	
Colorado				\$1.00	15,184	\$15,184.00	
Hawaii	\$5.00			5.00			
Idaho				1.00	12,370	12,370.00	
Illinois				1.00	95,000	95,000.00	
Indiana				1.00			
Michigan	\$0.75	18,621	\$13,965.75	.75	19,061	14,295.75	
Minnesota .....	.25			1.00	8,910	8,910.00	
Nebraska	1.00	3,348	3,348.00	1.00	3,744	3,744.00	
North Dakota .....	.75			.75	6,518	4,888.50	First district.
				.75	5,056	3,792.00	Second district; total \$8,680.50.
South Dakota	1.00			1.00			
Washington	1.00			1.00	14,982	14,982.00	
Wisconsin	1.00	72,635	72,635.00	1.00	78,164	78,164.00	
Wyoming	1.00			1.00	299	299.00	
New Brunswick ...	2.00	1,571	3,142.00	2.00	1,858	3,716.00	Moose and caribou.
Ontario	5.00	150	750.00	5.00	153	765.00	Do.
Quebec	2.00	5,165	10,330.00	2.00	5,707	11,414.00	Deer.
	5.00			5.00			

^a In Maryland special licenses were issued in some of the counties as follows: Anne Arundel, 1902, 11 pushers, \$22; 1903, 10 pushers, \$20; Cecil, 1902, 24 sink box, \$480; 67 sneak boat, \$335; 1903, 19 sink box, \$380; 69 sneak boat, \$345; Harford, 1902, 40 sink box, \$800, 68 sneak boat, \$340; 1903, 34 sink box, \$680; 51 sneak boat, \$255.

COMPARISON OF STATISTICS.

A comparison of the two preceding tables shows some interesting facts. Although the returns are incomplete, still they suggest some important questions in regard to (1) receipts, (2) number of licensed hunters, (3) number of big game licenses, and (4) statistics of former years.

^a Maine is the only State in this list that does not issue resident licenses.

(1) *Receipts*.—The receipts from licenses exceeded \$10,000 in nine States: Colorado, Idaho, Illinois, Maine,^a Michigan, Minnesota, North Dakota, Washington, and Wisconsin. Notwithstanding the difference in the fees charged, a nominal fee of \$1 for resident licenses and an average fee of \$10 to \$25 for nonresident licenses, the amount ordinarily collected from residents is far in excess of that received from nonresidents. Thus, in Wisconsin in 1903 the returns from resident licenses (\$78,164) were more than six times as great as those from nonresident licenses (\$12,005); in Colorado, where the amounts were \$15,184^a and \$746, respectively, the resident were nearly twenty-one times as large as the nonresident; and in Illinois, the amounts being \$95,000 and \$3,750, respectively, more than twenty-five times as large.

(2) *Number of licensed hunters*.—In the following table are shown the number of licenses issued (indicating the number of licensed hunters) and the amounts received therefrom (see Pl. V) in each of the 10 States for which statistics are available for both resident and nonresident licenses:

Number of Licensed Hunters and Receipts from Licenses, 1903.

State.	Resident.	Nonresident.	Total number.	Total fees.
Colorado	15,184	34	15,218	\$15,930
Idaho	12,370	267	12,637	14,105
Illinois	95,000	250	95,250	98,750
Michigan	19,061	45	19,106	15,421
Minnesota	8,910	333	9,243	14,205
Nebraska	3,744	84	3,828	4,584
North Dakota	11,574	123	11,697	11,756
Washington	14,982	(^a)	14,982	14,982
Wisconsin	78,164	659	78,823	90,169
Wyoming	299	158	457	8,199
Total	259,288	1,953	261,241	288,101

^a Nonresident licenses inseparable from resident licenses.

The most interesting fact brought out by this table is the total number of licenses issued. This number shows that in the above-mentioned ten States more than a quarter of a million hunters were licensed during the past year. This total, however, is less than the actual number of hunters in these States, for the reason that in Michigan and Wyoming no licenses are required from residents for anything except big game, and in Nebraska and Wyoming a resident is not required to secure a license unless he shoots outside his own county.

The only State which shows larger returns from nonresident than from resident licenses is Wyoming, which has a very high nonresident fee of \$50, and requires resident licenses only in the case of persons

^a Deducting the fees for issue the amount was \$9,890.

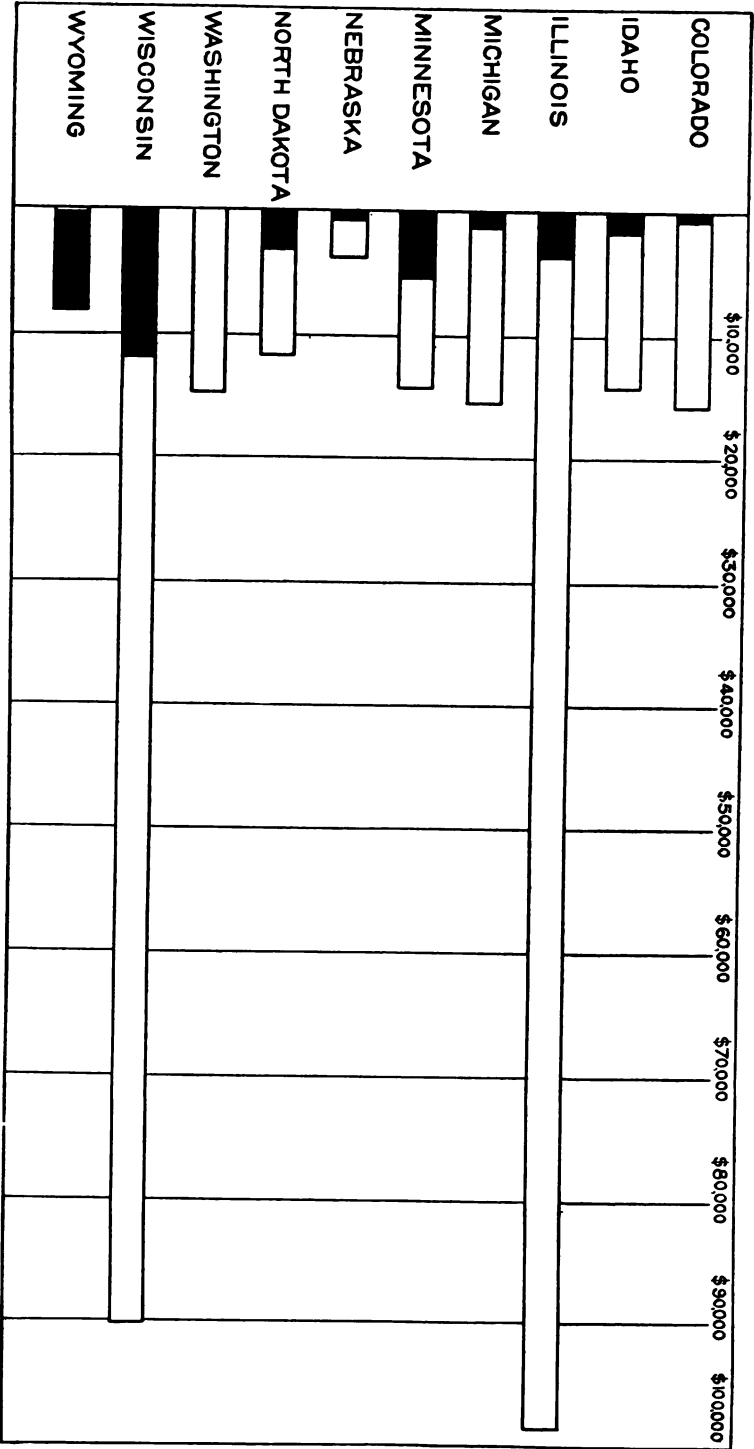


DIAGRAM SHOWING RECEIPTS FROM LICENSES IN TEN STATES, 1903.
Black indicates receipts from nonresident licenses; white, receipts from resident licenses. For exact amounts see pages 84 and 86.

hunting big game outside of the county of residence (see p. 32). These conditions in a State so thinly settled and with large counties would naturally make the returns from resident licenses very small.

(3) *Number of big game licenses.*—As some of the States require separate licenses for big game and for game birds, it is possible to ascertain approximately the number of nonresident licenses issued for hunting big game. The figures for 9 States and 4 Provinces are shown in the table following:

Nonresident Licenses for Big Game issued in 1903.

State.	Licenses.	Fees.	State.	Licenses.	Fees.
Colorado	29	\$725	Wyoming	158	\$7,900
Idaho	20	500	New Brunswick	338	10,140
Maine	1,697	25,465	Newfoundland	72	3,600
Michigan	45	1,125	Nova Scotia	30	1,200
Minnesota	131	3,275	Ontario	259	6,475
Montana	61	1,525			
New Hampshire	135	1,350	Total	3,336	72,295
Wisconsin	361	9,025			

From this table are omitted the returns from Nebraska, North Dakota, Utah, Washington, West Virginia, Manitoba, and the Northwest Territories, in which licenses for big game can not be separated from those for game birds. Several other States, in which considerable big game hunting is done, are also necessarily omitted—South Dakota, British Columbia, and Quebec, from which no reports are available, and Vermont, New York, California, and Oregon, in which no general hunting licenses are issued. But notwithstanding the incompleteness of the statistics, several facts of interest are brought out. Thus, it appears that in the nine States and four Provinces in the table 3,336 nonresident big game licenses were issued at a cost of \$72,295, that Maine issued more than one-half of these licenses and collected more than one-third of the fees, and that New Brunswick stood second in point of license receipts. If we assume that all the nonresident licenses in Nebraska, North Dakota, Utah, West Virginia, Manitoba, and the Northwest Territories were issued for big game hunting, the totals would only be increased to 3,649 and \$78,120, respectively, leaving but six important States—New York, South Dakota, California, Oregon, Washington, and British Columbia, in addition to those in the South—from which no returns are available. In other words, nearly 60 per cent of the 5,779 nonresident licenses issued in the United States and most of those issued in Canada in 1903 were for hunting big game.

On the other hand, if the resident licenses could be separated in the same way, the results would be very different. Fortunately, in five cases these figures are available, as resident licenses are issued only for big game in Michigan, Minnesota, Wyoming, New Brunswick, and Ontario. In 1903 there were 19,061 resident licenses issued in Michi-

gan, 8,910 in Minnesota, 299 in Wyoming, 1,858 in New Brunswick, and 5,860 in Ontario, making a total of 35,888, or nearly ten times as many as were issued to nonresidents in the nineteen States and Provinces mentioned above. The amount paid for the resident licenses, however, was only \$39,400, or about 50 per cent of the fees for the nonresident licenses.

(4) *Statistics of former years.*—Still another inquiry suggested by the table is whether or not the figures for 1903 are abnormal. On this point few statistics are available for a term of years, but in Michigan and Ontario the returns are complete for the entire time the resident-license system has been in force. Michigan inaugurated its license system in 1895; Ontario began to issue nonresident licenses in 1888 and resident licenses in 1896.^a The rates are about the same—\$25 for nonresidents in each case and 75 cents for residents in Michigan and \$2 in Ontario. Situated as they are, adjoining one another, with much the same kind of hunting, this State and Province are admirably adapted for a comparison of this kind.

Following are the figures for each year since 1895:

Number of Licenses issued in Michigan and Ontario,^a 1895–1903.

Year.	Michigan.			Ontario.		
	Resident.	Nonresident.	Total.	Resident.	Nonresident.	Total.
1895.....	14,477	22	14,499	.....	60	.....
1896.....	12,904	20	12,924	3,452	49	3,501
1897.....	11,867	44	11,911	2,300	53	2,353
1898.....	11,585	48	11,633	3,300	52	3,352
1899.....	12,758	93	12,851	3,917	80	3,997
1900.....	13,366	77	13,443	4,200	90	4,290
1901.....	15,687	49	15,736	5,090	100	5,190
1902.....	18,621	53	18,674	5,165	200	5,365
1903.....	19,061	45	19,106	5,707	259	5,966
Total.....	130,326	451	130,777	33,131	943	34,014
Average.....	14,481	50	14,531	4,141	105	4,246

^a Ontario also established a \$5 resident license for moose and caribou in 1900. Comparatively few of these licenses have been issued—105 in 1900, 150 in 1902, and 153 in 1903—and as Michigan has no corresponding license, they have been omitted from this table.

^b Average for 8 years, 1896–1903.

This table shows that the total number of hunters licensed in Michigan since 1895 was 130,777, and in Ontario since 1896, 34,014. Although the number varies from year to year, there has been a steady increase in resident licenses for six or seven years—in Michigan from 11,585 in 1898 to 19,061 in 1903, and in Ontario from 2,300 in 1897 to 5,707 in 1903. The number of nonresident licenses shows considerable fluctuation—in Michigan from 20 in 1896 to 93 in 1899, in Ontario from 49 in 1896 to 259 in 1903.

While the issue of nonresident licenses in Ontario has increased regularly and to larger proportions than in Michigan, the issue of resident licenses has always been considerably smaller. This is explained in part by the fact that in 1896 the government began the issue of free settlers' permits, allowing one member of a family to kill two deer for food purposes. In 1897, 2,300 of these permits were issued, in 1898, 2,404, and in 1899, 2,665. But even if the settlers' permits and resident licenses are combined, the total will still be less than one-half the number of resident licenses issued in Michigan for the same year.

LIMITATIONS OF THE LICENSE SYSTEM.

In many States the license system is still in an experimental or transitional stage, and its possibilities as a source of revenue, a check on indiscriminate hunting, and incidentally as a means of collecting important statistics concerning hunting, have not been fully realized. It is, moreover, incomplete in some States, where it has not been extended to residents or does not cover all kinds of game. These inequalities are inherent in any new scheme and may be expected to disappear in due time. Certain other inherent difficulties, however, give rise to problems which are not so readily solved. These may be grouped under three heads: Special privileges, cost of collection, and enforcement.

SPECIAL PRIVILEGES.

Much of the adverse criticism provoked by the license system has been caused both by the privileges granted and by those withheld by law. Certain exemptions already referred to (pp. 30-32) arouse hostility to the system and undoubtedly interfere with its operation. On the other hand, failure to accord reasonable privileges, which might be granted without impairing the value of the law, has created irritation and intensified opposition. The exceptional privileges granted residents of certain limited districts or members of certain clubs are regarded, perhaps with justice, as class legislation. The omission to exempt taxpayers from the requirements of the law, however, sometimes works injustice and arouses strong criticism. Both of these extremes are at least of doubtful constitutionality, and seem to prevent the best working of the system. Exemption of landowners or taxpayers is in many cases necessary, but to devise a clearly constitutional means for accomplishing it without interfering with the main object of the law is one of the difficult problems still to be solved. A lesser evil, which can be more easily remedied, is the policy established in some States of exacting a large fee for a hunting license and refusing the licensee the privilege of carrying home even a limited amount of the game or trophies he has secured. This is a source of irritation that apparently serves no useful purpose, and might easily be removed.

COST OF COLLECTION.

Although comparatively unimportant, the expense of printing licenses is an item that must be taken into account in considering the cost

No. <u>297</u>	NON-RESIDENT HUNTING LICENSE.	
Year, 1902.	Date.....	
Licensee.....		
Residence.....	State of.....	
Age.....	Height.....	Weight..... Color of eyes.....
Color of hair..... Distinctive marks.....		

No. <u>297</u>	NON-RESIDENT HUNTING LICENSE.	
SECRETARY OF STATE'S STUB.		
Year, 1902.	Date.....	
Licensee.....		
Residence.....	State of.....	
Age.....	Height.....	Weight..... Color of eyes.....
Color of hair..... Distinctive marks.....		

No. 297 Season of 1902.

STATE OF WISCONSIN.

Non-Resident Hunting License.

I, WM. H. FROELICH, Secretary of State of the State of Wisconsin,
do hereby certify that....., of
..... State of.....
having paid the ten dollars, required by law, is licensed to hunt all protected
game of this State, **EXCEPT DEER** during the open season therefor,
ending April 30th, 1903, subject to the regulations and restrictions provided by
law. This license is not transferable and may be shown to any Game Warden,
of this State, on demand.

DESCRIPTION OF LICENSEE.

Age..... Height..... Weight..... Color of eyes.....
Color of hair..... Distinctive marks.....

In Witness Whereof, I have hereunto set my
hand and affixed my official seal, at the Capitol,
in the City of Madison, this.....
day of..... A. D. 1902.

.....
State Fish and Game Warden.

Countersigned:
.....
Secretary of State.

NONRESIDENT COUPON LICENSE OF WISCONSIN.

Size 5 by 8½ inches, printed on light-blue glazed paper, and mounted on linen. (The \$25 nonresident deer license is similar but bright red.)

of collection of license fees. Sometimes it becomes a considerable item, especially in the case of a modern coupon license mounted on cloth and furnished with metal eyelets for attaching the coupons to the game killed (see Pl. VI). The method of issuing a license varies according to the State, and the fees allowed officers that issue them are strikingly different. When licenses are issued by game commissioners or wardens who receive no special fees the cost of issue is merely the added cost of clerical service. The usual method of issuing them through county officers who are allowed a certain percentage, or a specified fee, for their work oftentimes greatly reduces the income, particularly in the case of resident licenses, in which the fees for issue are large in proportion to amount of the license. In Wyoming the rate is 5 per cent of the license fee, or 5 cents for issuing a resident license and \$2.50 for a \$50 nonresident license. In North Dakota the rate is 10 per cent. In Michigan a clerk is allowed a uniform fee of 25 cents for issuing the 75 cent resident license and the \$25 nonresident license, or 33 per cent in one case and 1 per cent in the other. Thus in 1903 it cost the State only \$11.25 to collect \$1,125 from nonresidents, while it cost \$4,765 to collect \$14,296 from residents. As the cost of issue is frequently deducted from license receipts, the actual income is seriously reduced. The cost of collecting license money should in all cases be reduced to a minimum, in order to insure adequate funds for game protection, and if the percentage plan is adopted the maximum fee allowed for issuing the license should be limited to \$1.

ENFORCEMENT.

Penalties for hunting without a license, like fees for issuing licenses, exhibit considerable variation. Thus the penalty in North Dakota is \$20 to \$50, or imprisonment not exceeding thirty days; in Wyoming, \$25 to \$100, or ten to ninety days' imprisonment; in Minnesota, \$50 to \$100, or thirty to ninety days' imprisonment, or both; in South Dakota, \$25 to \$200, and not more than thirty days' imprisonment, with forfeiture of both gun and game. In all these States except Wyoming the general nonresident license costs \$25. If, as in some of the cases just mentioned, the minimum penalty is about the same or less than the license fee it encourages violation of the law. Unprincipled hunters will risk detection and a fine that does not exceed the license rate on the chance of escaping any payment. This difficulty may be overcome by making the minimum fine sufficiently large; thus \$10 in the case of residents and at least twice the license fee in that of nonresidents should have a sufficiently deterrent effect. Confiscation of gun, boat, or other paraphernalia may cause vigorous resistance to the law on constitutional grounds, in which the contestant may be sustained by the courts. The plan of holding the hunting outfit as security for payment of the

fine, however, as provided in some laws, is of a different character, and may be employed with much better results.

The question naturally suggests itself as to how far license laws, and especially those relating to nonresidents, are enforced. Unfortunately statistics on the point are too meager to furnish reliable conclusions; still such as are obtainable are interesting, as indicating that the laws are certainly not violated with impunity. Thus for hunting without a license there were 9 convictions in Montana in 1902; in New Jersey 9 convictions in 1902 and 45 arrests in 1903; in Pennsylvania 23 arrests in 1902, and in West Virginia 5 convictions in 1901 and 8 in 1903. Recently a sportsman from Homestead, Pa., who had been indicted for hunting squirrels out of season in West Virginia, was arrested and taken, under extradition papers, to Morgantown, W. Va., where he was fined \$25 and costs for hunting without a nonresident license. He was also required to deposit \$110 as a guarantee of his appearance at the next term of court to answer the indictment.^a In Canada hunting without a license frequently results in arrest. In Ontario 26 arrests were made and 21 convictions secured in 1901, and 9 convictions in 1902; 5 guns, 1 rifle, and 1 boat in the possession of unlicensed hunters were also seized in 1901.

^a Letter dated September 17, 1904, from Deputy Warden Bennett S. White, who conducted the case.

No. 1100

Seattle, Wash., 190

Received from

Address

The sum of One Dollar [\$1.00] for **LICENSE** to Hunt for, Pursue, Take, Hunt, Catch or kill any of the said animals, fowls or birds under the provisions of the Game Laws of the State of Washington, within King County, for the term of One Year.

GEO. B. LAMPING

AUDITOR KING COUNTY, WASH.

Per

Deputy

No. 4501

GAME LICENSE

850.00

IN CONSIDERATION of the payment of FIFTY DOLLARS, the receipt whereof is hereby acknowledged, this license is granted by the State of Wyoming to

State of

and he is hereby permitted to pursue, hunt and kill not more than two Elk, two Deer, two Antelope, one Mountain Sheep and one Mountain Goat, within the State of Wyoming, from the Fifteenth day of September to the Fifteenth day of November, A. D. 190, or any of the game birds of this state during the time allowed therefor of the current year.

IN WITNESS WHEREOF, I

a Justice of the Peace within and for the County of

in the State of Wyoming, have hereunto set my hand this

day of

A. D. 190

Justice of the Peace.

No. 4501

COUPON.
One Elk Killed.

No. 4501

COUPON.
One Elk Killed.

No. 4501

COUPON.
One Deer Killed.

No. 4501

COUPON.
One Deer Killed.

No. 4501

COUPON.
One Antelope Killed.

No. 4501

COUPON.
One Antelope Killed.

No. 4501

COUPON.
One Mtn. Sheep Killed.

No. 4501

COUPON.
One Mtn. Goat Killed.

EXTREMES OF NONRESIDENT LICENSES, 1903—THE \$1 LICENSE OF WASHINGTON AND THE \$50 LICENSE OF WYOMING.

The Washington license is $3\frac{1}{2}$ by $6\frac{1}{2}$ inches, printed on white paper, with an extract from the law on the back; the Wyoming license is 6 by 8 inches and printed on white paper.

PRESENT STATUS OF LICENSE LEGISLATION.

From a small beginning in a few States nonresident licenses have steadily increased in number during the past ten years, until at the present time they are required in 31 States and Territories,^a and in practically all the Provinces of Canada. Since 1895 the adoption of resident licenses has spread to 13 States and 3 Canadian Provinces.

As a rule, nonresident licenses are required for hunting any game, but in Michigan, New Hampshire, New Brunswick (except Westmoreland County), and Newfoundland they are necessary only for big game. Great variety exists in the form of the license, in detail of issue, and in the accompanying privileges, but there is a tendency toward the adoption of more uniform fees and of the so-called coupon license, which provides the holder not only with a permit to hunt but also tags to insure the safe shipment of his game. The fees range from \$1 to \$50 (see Pl. VII), but in most cases the rate is \$10 for birds and \$25 for big game and birds. In a few States the maximum rate has recently been reduced to \$15. The majority of States now permit the licensee to carry with him out of the State a reasonable amount of game obtained under his license.

Resident licenses are required in most of the States along the northern border from Michigan westward. Ordinarily the fee is \$1, but in a few States it is only 75 cents, and in Hawaii \$5. These licenses were first required only for hunting big game, but in most States their use has now been extended to cover hunting all game.

In some cases the receipts, particularly from resident licenses, have furnished a much larger income for game protection than was anticipated, and several States now depend largely on this source of revenue for maintenance of their warden service. With adequate license laws properly enforced, the work of game protection may be made practically self-supporting.

Naturally some opposition has been manifested to the adoption of the license system. Questions have been raised as to the constitutionality of the laws affecting nonresidents and some of these questions are still unsettled.

^aIn addition to these States, Georgia and Oregon require nonresidents engaging in market hunting to secure licenses. Market-hunting licenses are issued to residents, only in Georgia, Louisiana, and Tennessee.

DECISIONS OF THE COURTS ON NONRESIDENT LICENSE LAWS.^a

Several cases have been decided in State courts involving directly or indirectly the validity of nonresident hunting licenses, but the question has not yet been directly decided by the Supreme Court of the United States. As there is no immediate prospect of such a decision^b it may be interesting at least to review briefly the precedents which have already been established and to refer to one or two decisions of the Supreme Court in analagous cases, which indicate to some extent what the attitude of that court would be if the question were directly before it. But first it should be explained that the chief grounds of attack on the constitutionality of nonresident licenses are the clauses in the Federal Constitution prohibiting taxes or duties on articles exported from any State (Art. I, sec. 9), guaranteeing to citizens of each State all the privileges and immunities of citizens of the several States (Art. IV, sec. 2), and prohibiting legislation "which shall abridge the privileges or immunities of citizens of the United States, * * * or deny to any person within its jurisdiction the equal protection of the laws." (Amend. XIV.)

While nonresident license laws have been declared void in a few cases, they have been so declared by inferior courts or on technical grounds and not by the highest courts or on the merits of the question. In 1886 the circuit court of Craighead County, Ark., declared the Arkansas act of 1875 unconstitutional (Am. Field, XXVII, p. 49, Jan. 15, 1887). In April, 1887, the circuit court of Poinsett County, Ark., held the same act unconstitutional, and as a consequence judgment was rendered against the sheriff of the county for \$10 and costs in each of 18 cases in which he had collected \$10 license fees from nonresidents. (Am. Field, XXVIII, pp. 3-4, July 2, 1887.) In 1901 the superior court of Spokane County, Wash., declared the Washington law unconstitutional because it discriminated in not requiring boys under 16 years of age to be licensed, and in 1903 declared a subsequent nonresident license law void on account of a defect in the title. (Field and Stream, VIII, p. 501, Oct., 1903.) None of these

^a See also article on 'Nonresident Licenses,' by William A. Talcott, jr., in *Forest and Stream*, L, pp. 205-206, March 12, 1898.

^b In December, 1902, the 'American Field' started a fund for the purpose of defraying the costs of carrying a test case to the Supreme Court, but during the first eight months collected only about \$160. (Am. Field, LVIII, pp. 593, 597, 1902; LX, p. 145, 1903.)

cases was appealed to the supreme court, and the decisions, therefore, even had they directly considered the license principle, could not be considered as furnishing authoritative precedents. In 1903 the circuit court of Crittenden County, Ark., declared the Arkansas law prohibiting nonresidents from hunting in the State unconstitutional in so far as it prohibited nonresidents from hunting on their own land. (Am. Field, LX, p. 52, July 18, 1903.) This case has been appealed to the supreme court of Arkansas, but the decision has not yet been rendered. In May, 1904, a case (*Cummings v. People*) which may result in a decision on the nonresident license question, was carried to the supreme court of Illinois on writ of error. One of the contentions in this case, which involves the constitutionality of the Illinois game law of 1903, is that the statute is invalid because it discriminates between resident and nonresident hunters.

On the other hand two decisions have been rendered by higher courts which uphold the constitutionality of such laws, one by the supreme court of New Jersey in 1886 and the other by the United States circuit court of the northern district of Illinois in 1899. In the former case (*Allen v. Wyckoff*, 48 N. J. Law Rep. 90; 2 Atl. 659) one Allen was arrested and fined \$50 for violating the act for the protection of game and game fish approved April 4, 1878, which imposed greater restrictions and severer penalties upon nonresidents of the State than upon residents. The case was appealed to the supreme court of New Jersey, which held that the act in question was not in violation of the fourteenth amendment of the Constitution of the United States, prohibiting any State from making any law which shall abridge the privileges of citizens of the United States or deny to any person the equal protection of the laws; and furthermore that the statute was valid in its application to a nonresident killing game on the property of persons who have formed an association under the laws of the State for the protection of game on their own property.

In passing upon the question of constitutionality, after showing that section 2 of Article IV of the Constitution, and so much of the fourteenth amendment as secures the privileges and immunities of a citizen of the nation were not applicable to the case in hand, as Allen was not a citizen of the United States, the court said:

The only clause of the federal constitution, therefore, which, on the surface seems to have any pertinency is that forbidding a state to deny to any person within its jurisdiction the equal protection of the laws. But even this appearance is dissipated, I think, when we examine the decision of the supreme court of the United States in the *Slaughter-house Cases*, 16 Wall. 36. It was there argued that a state law which authorized a corporation to establish stock-yards and slaughter-houses in and near New Orleans, and prohibited all other persons from slaughtering cattle or keeping stock-yards elsewhere, within an area of about 1,154 square miles around the city, was an infringement of this fourteenth amendment; that the right to use one's land, skill, and labor in any lawful business for the acquisition of property

was a fundamental civil right, which, according to any just theory of government, was entitled to the protection of the law; that, therefore, while the right might of course be regulated by state legislation, this amendment required that the laws for such purpose should operate equally upon all persons within the jurisdiction; and that the statute, securing such a right to some persons, and denying it to others in substantially similar situation, was invalid. But the court decided that laws of this nature were not within the purview of this clause of the amendment; that it had been framed to remedy the evils arising from the existence of laws in the states where the newly-emancipated negroes resided, which discriminated with gross injustice and hardship against them as a class; and that this design must be kept in view in determining the scope and effect of the provision; the learned justice who spoke for the court saying: 'We doubt very much whether any action of a state not directed by way of discrimination against the negroes as a class, or on account of their race, will even be held to come within the purview of this provision. It is so clearly a provision for that race and that emergency, that a strong case would be necessary for its application to any other.' * * *

Bearing in mind, then, this indication of the scope of the amendment, afforded by the ultimate arbiter of its construction, how can it be said that the statute now under review is interdicted by it? * * * The statute seems to stand in the same category as the Louisiana act, as an exercise of the police power for the regulation of one of the modes of acquiring property; and, as such, it might be embraced within the terms of the amendment, by giving them their widest signification, but, restricted as the supreme court declares their meaning to be, they do not touch the matter in hand. No rights of the prosecutor under the federal constitution therefore seem to be infringed.

In the Illinois case, *In re Eberle* (98 Fed. 295), the validity of the nonresident license was directly decided. Frank Eberle, a citizen of Iowa and a member of the Crystal Lake Club, an Illinois corporation authorized to acquire and own real estate in Illinois for use as a game and fish preserve, was arrested when hunting on the lands of the club. He was charged with hunting without a license in violation of the State law requiring a license of \$10 from nonresidents, passed in 1899 subsequent to the incorporation of the club. At the trial the defendant was adjudged guilty of violation of the statute and was sentenced to pay a fine of \$25 and costs and stand committed until the fine was paid. An unsuccessful application was made to the United States circuit court for a writ of habeas corpus.

In denying the writ the court held:

The sovereign ownership of wild game is in the state, in trust for the benefit of its citizens; and a statute requiring the payment of a license by a nonresident for the privilege of hunting such game within the state is a police regulation within the power of the state, and not in violation of article 4, sec. 2, of the federal constitution, or of section 1 of the fourteenth amendment, although such fee is not required of residents of the state; nor is the validity of such regulations as to a particular individual, who is a nonresident of the state, affected by the fact that he is a stockholder in a corporation of the state which owns lands maintained as a game preserve.

Several important decisions are on record sustaining statutes prohibiting nonresidents from taking oysters. As early as 1823 the United States circuit court upheld the New Jersey oyster law of 1820

(*Corfield v. Coryell*, 4 Wash. C. C. 371). This is a leading case on the subject. In 1855 the supreme court of Rhode Island sustained a similar statute of that State passed in 1844, which prohibited nonresidents from taking oysters within the waters of Rhode Island. In 1873 the supreme court of New Jersey upheld the New Jersey act of 1846 (*Haney v. Compton*, 36 N. J. L. 507), and in 1901 again upheld a similar statute passed in 1899 (*State v. Corson*, 50 Atl. 780). In rendering the decision in the *Haney* case the court said:

A full ownership of this species of property empowers the State to declare who shall take it, upon what terms it shall be taken, and by what means it shall be removed. A citizen of Pennsylvania cannot claim a right to acquire the property of New Jersey in a manner different from that to which New Jersey agrees to dispose of it.

The Supreme Court of the United States has upheld the public ownership of game and has quoted with approval the decision of the supreme court of California (*Ex parte Maier*) to the effect that—

The wild game within a State belongs to the people in their collective sovereign capacity. It is not the subject of private ownership except in so far as the people may elect to make it so; and they may, if they see fit, absolutely prohibit the taking of it, or traffic and commerce in it, if it is deemed necessary for the protection or preservation of the public good. (*Geer v. Connecticut*, 161 U. S. 529.)

The same court has, moreover, decided, in the case of *McCready v. Virginia* (94 U. S. 248), that a State may pass laws discriminating against nonresidents, by upholding, in 1877, a statute of Virginia (act of 1846) which absolutely prohibited nonresidents from planting oysters in the waters within the limits of the State. In rendering the opinion of the court Chief Justice Waite said:

The precise question to be determined in this case is, whether the State of Virginia can prohibit the citizens of other States from planting oysters in Ware River, a stream in that State where the tide ebbs and flows, when its own citizens have that privilege.

The principle has long been settled in this court, that each State owns the beds of all tide waters within its jurisdiction, unless they have been granted away. * * *

By article IV., sec. 2, of the Constitution, the citizens of each State are 'entitled to all privileges and immunities of citizens in the several States.' * * * we think we may safely hold that the citizens of one State are not invested by this clause of the Constitution with any interest in the common property of the citizens of another State. If Virginia had by law provided for the sale of its once vast public domain, and a division of the proceeds among its own people, no one, we venture to say, would contend that the citizens of other States had a constitutional right to the enjoyment of this privilege of Virginia citizenship. Neither if, instead of selling, the State had appropriated the same property to be used as a common by its people for the purposes of agriculture, could the citizens of other States avail themselves of such a privilege. And the reason is obvious; the right thus granted is not a privilege or immunity of general but of special citizenship. It does not 'belong of right to the citizens of all free governments,' but only to the citizens of Virginia, on account of the peculiar circumstances in which they are placed. They, and they alone, owned the property to be sold or used, and they alone had the power to dispose of it as they saw fit. They owned it not by virtue of citizenship merely, but of

citizenship and domicil united; that is to say, by virtue of a citizenship confined to that particular locality.

The planting of oysters in the soil covered by water owned in common by the People of the State is not different in principle from that of planting corn upon dry land held in the same way. Both are for the purposes of cultivation and profit; and if the State, in the regulation of its public domain, can grant to its own citizens the exclusive use of dry lands, we see no reason why it may not do the same thing in respect to such as are covered by water. And as all concede that a State may grant to one of its citizens the exclusive use of a part of the common property, the conclusion would seem to follow, that it might by appropriate legislation *confine the use of the whole to its own People alone.*

HUNTING LICENSES IN FOREIGN COUNTRIES.

For purposes of comparison with the license system of the United States and Canada, particularly in the matter of fees, reference may be made briefly to the conditions surrounding hunting in a few foreign countries. In general it may perhaps be said that hunting licenses are required in a majority of civilized countries, except those under the control of Spanish-speaking nations. In Europe licenses to hunt or to carry firearms are generally required, and in some countries, as for example, Prussia, distinctions are made between residents and nonresidents. Without going into the subject in detail it will suffice to mention by way of illustration the license systems of Great Britain and Germany for Europe, Japan for Asia, New Zealand for Australasia, and the colonies of German East and Southwest Africa, Sudan, and Transvaal for Africa. It will be observed that the issue of hunting licenses is not restricted to the older countries of Europe where game is scarce, but has been extended to colonies in the heart of Africa which have only recently come under European control and where large game is more abundant than anywhere else in the world.

GREAT BRITAIN.

For shooting in Great Britain three or even four licenses must be taken into consideration. Separate licenses are required for killing game, for carrying a gun, and for the use of a dog, and in addition, a gamekeeper's license may be necessary. Game and gun licenses are the only ones requiring consideration in this connection. Both are excise licenses, and enforcement of the regulations regarding them is in the hands of the commissioners of inland revenue. Under the act of 1860, "licenses to kill game"^a are issued throughout Great Britain and Ireland for one year, ending July 31, at a cost of £3 (\$15), or for a period of six months, at £2 (\$10), or for fourteen days, at £1 (\$5). These licenses may be obtained at most post-offices. They are not required for netting or trapping woodcock and snipe, for capturing rabbits and hares, or for hounding or hunting deer on inclosed lands with the owner's permission. Members of the Royal family and the King's gamekeepers are exempt from the provisions of the law, and a further exemption is made of unarmed assistants of licensees.

^a This is the designation in England and Scotland. In Ireland the earlier term of 'certificates' is still retained.

Under the act of 1870, every person who uses or carries a gun is required to secure a license unless he has a license to kill game. Gun licenses may be obtained at money-order offices, and, like game licenses, are good throughout the United Kingdom. These licenses are issued for one year, expiring July 31, at a cost of 10 shillings (\$2.50). A gun license is not required in case of members of the naval, military, or volunteer service, of any person carrying a gun belonging to the holder of a gun or game license, or where guns are used to kill vermin or frighten birds by occupants of lands, or are carried by gunsmiths or common carriers in connection with their regular business.

GERMANY.

Under the law of July 31, 1895, several forms of licenses (*Jagdscheine*) are issued for hunting in Prussia. A resident may obtain an annual license on payment of 15 marks (\$3.75), or one good for three days for 3 marks (75 cents). A foreigner or nonresident—that is, a person who has no domicile or owns no property in Prussia—must pay 40 marks (\$10) for an annual license and 6 marks (\$1.50) for a three-day license. Officers in the forest service are furnished free licenses good for a year. In either case the holder must own land on which he can hunt or must have an invitation from some one who owns a preserve. Each license has its own distinctive color—yellow for the annual, red for the daily, white for the gratuitous, and the same colors, but with a black background, for the nonresident. Each has a diagram printed on the back, showing the open and close seasons for each kind of game, and is good throughout Prussia, except in the island of Heligoland.

NEW ZEALAND.

Under the animals protection act of 1880 hunting game is prohibited except under license. These licenses are good only during the open season and within the district for which issued. The license fees, not to exceed 50 shillings (\$12.50), are fixed by notification of the governor.

JAPAN.

Under the general game law of Japan two series of licenses are issued: (A) For capture of live game with net or lime, and (B) for killing game with a gun. Each of these licenses is issued in three classes, distinguished by different colors, and these classes are based upon the amount of taxes paid by the holder. First-class licenses (buff) are issued to persons paying not less than 100 yen (\$50) income tax, 500 yen (\$250) land tax, or 150 yen (\$75) business tax. To such persons or the members of their families the fee is 20 yen (\$10). Second-class licenses (green) are issued to persons paying not less than 3 yen (\$1.50) income tax, 30 yen (\$15) land tax, or 20 yen (\$10) business

tax, and the fee for such persons or the members of their families is 10 yen (\$5). Third-class licenses (red) are issued to persons who are not included in the first and second classes. All these licenses are printed on pieces of thin cardboard somewhat larger than ordinary postal cards. On the face of the license are shown the number and class and the season for which issued; the status, domicile, occupation, name, and age of the holder; and the seal of the department of agriculture and commerce. On the back is printed an abstract of the game law, showing the close seasons, the birds protected at all times, and the conditions under which hunting is permitted.

GERMAN EAST AFRICA.

Under the ordinance of July, 1903, hunting licenses are required in the German East African hunting district. The fee is 10 rupees^a (\$3.25), but applicants who have no permanent residence in the district are required to make a deposit of 500 rupees before the license is issued. In addition, special fees are required for hunting the following kinds of game: 1 rupee for each dwarf antelope; 3 rupees for each gnu, hartebeest, waterbok, rappenantelope, certain other kinds of antelope, kudu, oryx, ape (*Colobus*), or marabu; 10 rupees for each leopard; 20 rupees for each buffalo, hippopotamus, or lion; 30 rupees for each rhinoceros, and 100 rupees for each elephant.

These licenses are good only during the calendar year in which issued, are not transferable, and may be refused to applicants who, during the five years preceding their application, have been guilty of violating the game or certain other laws of the district.

GERMAN SOUTHWEST AFRICA.

Under the ordinance of 1902 licenses are issued under certain conditions for hunting in German Southwest Africa. As in similar cases elsewhere, these licenses are issued for one year, are valid throughout the hunting district, are not transferable, and are to be obtained in the district of which the person is a resident. The fee is 30 marks (\$7.50). If the applicant is not a resident of the district, permits may be obtained from the government. When hunting is carried on in connection with a regular expedition a special license must be obtained, the fee for which is 1,000 marks (\$250) per year unless suspended by special order of the government.

SUDAN.

In the Sudan two forms of licenses are issued for hunting. License A costs £25 (\$125), and entitles the holder to capture or kill a limited number of any of the common and some of the rarer species of big

^aThe rupee is equivalent to about 32½ cents.

game, including several kinds of antelope and some of the larger birds. Special fees, varying from 250 milliemes (\$1.25) to 50 pounds Egyptian (\$256)—in the case of rhinoceroses—are required for killing certain animals, and extra taxes are collected for the shipment of trophies of various species. License B costs but £5 (\$25), and allows the holder to kill 10 specimens each of wild sheep, ibex, wart hog, certain species of antelope, and large bustards.

TRANSVAAL.

In the Transvaal, under the game ordinance of 1902, a license is required to hunt in any part of the colony, except by owners or lessees of land hunting on their own property. The fee for this license is £3 (\$15) for the whole season, or £1 (\$5) for a period not exceeding two weeks. Certain game, such as elephants, hippopotamuses, buffaloes, several of the rarer antelopes, giraffes, rhinoceroses, quaggas, zebras, ostriches, and cranes can not be hunted without a special permit from the Colonial Secretary, and such permit must bear a £25 (\$125) stamp.

INDEX OF LICENSE LEGISLATION IN THE UNITED STATES AND CANADA, 1872-1904.

The following index is arranged chronologically to show the progress of license legislation in the United States and Canada. An attempt is here made to bring together in a brief summary all the important acts, including those prohibiting nonresidents from hunting, which have been passed in the various States and Provinces since 1872, apparently the date of the first hunting-license law in the United States. Various restrictions were imposed on nonresidents much earlier than this, but no attempt has been made to collect these laws systematically. The more important ones, with their references, are noted on pages 10-12.

The number of statutes mentioned in the following list is about 160, of which over 50 are local laws of Maryland. Each entry is accompanied by a brief statement of the important provisions of the law and a reference to the volume and chapter or page, so that the original statute may be readily consulted, if necessary.

[An asterisk * indicates the first law of the kind in the State or county.]

- 1872. Maryland.**—\$20 licenses* required for sink boxes and \$5 licenses* for sneak boats used in hunting wild fowl on the Susquehanna flats in Cecil and Harford counties. Licenses issued only to residents. (Laws of 1872, chap. 54.)
- 1873. New Jersey.**—Nonresident license* required to hunt in Atlantic, Camden, Cape May, Cumberland, Gloucester, or Salem counties. Fees, \$5 first year and \$2 in subsequent years. (Acts of 1873, chap. 470.) Repealed March 23, 1896.
- 1875. Arkansas.**—\$10 market hunting license* required of nonresident trappers, hunters, seiners, or netters of fish. (Acts of 1875, p. —.) Fee increased in 1897. Privilege of hunting entirely withdrawn from nonresidents in 1903.
- Florida.**—\$25 nonresident county license* required for hunting game to carry out of the State. A party of six persons hunting together included under one license on payment of an additional \$5 each. (Acts of 1875, chap. 2055.)
- 1876. Maryland.**—
- Anne Arundel.**—\$30 licenses* issued to residents only to use sink boxes in hunting waterfowl on the waters of the county. (Laws of 1876, chap. 78.)
- Anne Arundel and Prince George.**—Nonresidents prohibited* from hunting in Anne Arundel and Prince George counties without permission from land-owners. Penalty, \$5 fine and forfeiture of gun. (Ibid., chap. 309.)
- 1877. Missouri.**—Nonresidents prohibited* from hunting game for sale or export. (Laws of 1877, p. 333.)
- Tennessee.**—Nonresidents of Obion and Lake counties prohibited* from killing wild fowl for market on Reelfoot Lake. (Laws of 1877, chap. 145, sec. 1.)

1878. Maryland.—

Cecil.—\$10 license* required of residents of Cecil County for use of sink boxes on Elk and Bohemia rivers. (Laws of 1878, chap. 292.)

Fee for sink-box license on Susquehanna Flats in Cecil County, reduced from \$20 to \$10. (Ibid., chap. 292.)

New Jersey.—Nonresidents prohibited* from hunting any game except waterfowl without complying with the by-laws of the game protective societies organized or to be organized under the laws of the State. (Laws of 1878, chap. 184, sec. 1.)

New Brunswick.—\$20 nonresident license* required for hunting any animals or birds in the Province. Licenses good until September 1 following date of issue. Fee for officers of army or navy, \$5. (Laws of 1878, chap. 45, secs. 26–29.)

1879. Delaware.—Nonresidents required to secure certificates of membership* in the Delaware Game Protective Association before hunting in the State. Fees, \$5 the first year, \$2 in subsequent years. (Laws of 1879, chap. 111, sec. 6.)

Missouri.—Nonresidents prohibited from hunting within the State. (Rev. Stat. 1879, I, sec. 1618.)

Tennessee.—Hunting game for profit prohibited* in Cumberland, Fentress, Morgan, Scott, Campbell, Overton, Putnam, White, Roane, Carroll, Rhea, Bledsoe, and Van Buren counties. (Laws of 1879, chap. 133, sec. 1.)

Virginia.—Nonresidents of the State prohibited* from hunting or trapping partridges in Accomac or Northampton counties without written consent of owners or occupants of the lands. (Acts of 1879, chap. —.)

1880. Maryland.—

Cecil and Kent.—\$10 license* required of residents of Cecil and Kent counties for the use of sink boxes on Sassafras River. (Laws of 1880, chap. 42.)

Patuxent River.—Nonresidents of Anne Arundel, Calvert, Charles, Prince George, and St. Mary counties prohibited* from shooting snipe, ortolan, and wild fowl on the Patuxent River. (Ibid., chap. 176.)

Queen Anne.—\$10 license* required of residents of Queen Anne County for use of sink boxes on waters of county. Licensee prohibited from allowing use of sink box to nonresident under penalty of \$20–\$100, and (in case of nonresident) confiscation of sink box and other paraphernalia. In case of resistance the penalty is \$50–\$100. (Ibid., chap. 370.)

1882. Maryland.—

Anne Arundel.—Licenses* at \$2 each (and clerk's fee of 50 cents) required for the use of 'booby' or 'bush' blinds on the Severn, South, and Magothy rivers. (Laws of 1882, chap. 400.)

Caroline.—\$4.50 nonresident license* required for hunting rabbits, muskrats, quail or partridges, woodcock, sora or water rail, and ducks in Caroline County.

Quebec.—\$20 nonresident licenses* required for hunting in the Province. (45 Vic., chap. 15, secs. 17–18.)

1883. North Carolina.—Nonresidents of the State prohibited from shooting wild fowl in Currituck and Dare counties from blind, box, battery, or float on the water.

1884. New York.—\$10 nonresident license* required for hunting on Staten Island (Richmond County). (Laws of 1884, chap. 185.) Repealed in 1892.

South Carolina.—\$25 market-hunting license* required for each nonresident hand employed by nonresidents hunting ducks, fishing, gathering oysters or terrapins, or selling game in Beaufort, Berkeley, Charleston, Colleton, and Georgetown counties. (Laws of 1884, p. 734.)

1884. **Nova Scotia.**—\$30 nonresident license* required for killing moose and other game, and \$10 nonresident license* for killing birds. All licenses expire August 1. Fee for officers in Her Majesty's service \$5, but members of Game and Inland Fishery Protection Society exempt. (Rev. Stats., 5th ser., chap. 76, sec. 26.)
- Quebec.**—\$20 nonresident license required for hunt in the province, but in exceptional cases lieutenant-governor in council may grant hunting permits at a less rate or gratuitously. License not required of Ontario hunters. (47 Vic., chap. 25, sec. 20.)
1885. **South Carolina.**—Market-hunting license provisions of 1884 modified to add to the \$25 license for each nonresident hand a \$25 nonresident license for pursuing the business.
1886. **Maryland.**—
- Anne Arundel and Prince George.**—\$6 nonresident license* for hunting rabbits, partridges, and woodcock. Guest hunting on land of host exempt. (Laws of 1886, chap. 190.)
- Baltimore.**—\$10 nonresident license* for hunting rabbits or woodcock. (Ibid., chap. 538.)
- Caroline.**—\$19.50 license required of nonresidents for hunting rabbits, muskrats, quail or partridges, woodcock, sora or water rail, or ducks. (Ibid., chap. 505.)
- Kent.**—\$4.50 nonresident license* for hunting any game. Guest hunting on land of host exempt. (Ibid., chap. 135.)
- Queen Anne.**—\$4.50 nonresident license* for hunting any game. Guest hunting on land of host exempt. (Ibid., chap. 88.)
- Talbot.**—\$9.50 nonresident license* for hunting any game protected by the county. (Ibid., chap. 442.)
- Virginia.**—Nonresidents prohibited* from killing wild fowl from skiff, float, or sink box in Fairfax, Henrico, King George, Prince William, or Stafford counties. Guns, boats, or sink boxes to be forfeited. Law not applicable to nonresidents-renting shores on broad waters of Back Bay. (Acts of 1886, chap. 383.)
- Wyoming.**—Nonresidents prohibited* from hunting game animals in the State. (Laws of 1886, chap. 109.) Repealed in 1895.
1887. **Quebec.**—\$5 resident licenses* issued for killing 5 caribou and 5 deer more than legal number. Commissioner of Crown lands may exempt from payment of the fee any Indian whose poverty has been established to his satisfaction. Nonresident license fee of members of hunting and fishing clubs incorporated in the Province reduced to \$10. Limit on big game which may be killed under license. (50 Vic., chap. 16, secs. 3 and 12.)
1888. **Maryland.**—
- Caroline.**—\$4.50 fee restored for nonresident license, and owners of real estate in county exempted from requirements of license law.
- Charles.**—\$20 nonresident license* required for hunting rabbits, partridges, or woodcock. Penalty, \$20, or ten days and forfeiture of gun, ammunition, and other apparatus. (Not needed by one hunting by written permission of landowner.) \$25 nonresident license for hunting wild fowl on waters of county. (Laws of 1888, chap. 352.)
- Dorchester.**—\$5 nonresident license* required for hunting rabbits, partridges, or woodcock. (Not needed by owners of land in county, or their relatives, nor by relatives or connections by marriage of residents.) (Ibid., chap. 29.)
- Howard.**—\$7.50 nonresident license* for hunting any game. (Not needed by one hunting under written permission of landowner.) (Ibid., chap. 90.)

1888. South Carolina.—Nonresident market-hunting license fees increased to \$500, and \$100 additional for each nonresident hand employed.

Ontario.—Nonresidents prohibited from killing deer prior to 1895 unless they have secured a \$10 license* from the commissioner of Crown lands. Law not applicable to shareholders in an incorporated company hunting on lands of said company. (51 Vic., chap. 36, sec. 16.)

1889. Tennessee.—Nonresidents of the State prohibited* from hunting game for profit in certain counties and from hunting at all in others. (Laws of 1889, chap. 179, sec. 1; chap. 244, sec. 2.)

Nonresidents of certain counties prohibited from killing game for market in these counties. (Ibid., chap. 244, sec. 2.)

Nonresidents of the State prohibited from killing wild fowl on Reelfoot Lake. (Ibid., chap. 156, sec. 1.)

Newfoundland.—\$100 nonresident license* required for killing caribou. Officers of British war ships stationed on the coast for fisheries protection exempt from license. (Deer preservation act 1889, sec. 6; Con. Stat. 1892, chap. 143, sec. 6.)

1890. Maryland.—

Dorchester.—Nonresidents of Parson Creek, Church Creek, and Neck districts prohibited* from hunting wild fowl in the Little Choptank River. Penalty: \$20 and costs, and forfeiture of boat, guns, and other "fixtures." (Laws of 1890, chap. 140.)

Somerset.—\$9.50 nonresident license* for hunting any game. (Not needed by one invited and accompanied by a resident.) (Ibid., chap. 589.)

Worcester.—\$10 nonresident license* for hunting wild fowl. (Ibid., chap. 446.)

British Columbia.—\$50 nonresident license* required for killing big game. Limit: 10 deer, 2 bull elk, 3 reindeer, 5 caribou, 8 mountain sheep, 8 mountain goats. Members of army, navy, and Canadian militia in service in the Province require no licenses. (Game-protection act 1890, secs. 9-10.)

Manitoba.—\$25 nonresident license,* good for calendar year, required for hunting animals or birds in the Province. (Game act of 1890, sec. 8.)

1892. Maryland.—

Anne Arundel and Prince George.—Law of 1880 (chap. 176) amended so as to restrict hunting of snipe, ortolan, and wild fowl on the Patuxent River in Anne Arundel and Prince George counties to residents of these counties, except such as have permission of a majority of the citizens adjacent to the river and employ a licensed boat. \$2 pusher's license* required for pushing, paddling, or conveying nonresidents hunting on Patuxent River. Penalty: \$10-\$30, or, in default, confiscation of boat and fixtures. (Laws of 1892, chap. 360.)

St. Mary.—\$20 nonresident license* required for hunting rabbits, partridges, and woodcock. Penalty: \$20 or ten days, and forfeiture of guns and other paraphernalia. (Ibid., chap. 588.)

South Carolina.—\$25 nonresident license* required for hunting in Beaufort County; Horry County added to those in which market hunting is licensed.

Virginia.—Nonresidents of the State prohibited* from killing wild fowl on the marshes, islands, or beaches below the head of tide water, except in Accomac and Northampton counties. (Laws of 1891-2, p. 1070.)

Ontario.—\$25 nonresident license* required for hunting big game or birds. (Acts of 1892, chap. 58, sec. 8.)

1893. South Carolina.—\$25 nonresident county license* required for killing game of any kind. Not required of persons hunting on their own land. (Act of December 22, 1893, sec. 3.) [Repealed by omission from Code of 1902.]

- 1893. Northwest Territories.**—\$5 nonresident license,* good until May 15 following date of issue, required for hunting big game or birds. Free licenses * may be granted to guests of residents for five days or less. (Game ordinance of 1893,^a sec. 11.)
- 1894. Maryland.**—
- Anne Arundel and Prince George.**—Laws of 1880 (chap. 176) and 1892 (chap. 360) amended by extending privilege of hunting snipe, ortolan, and wild fowl on Patuxent River to citizens of Calvert County. (Laws of 1894, chap. 586.)
- Anne Arundel.**—Nonresidents prohibited * from hunting in the county. Penalty: \$10–\$50, or, in default, one to three months, and forfeiture of gun and other apparatus. (Ibid., chap. 103.)
- Baltimore.**—\$10 nonresident license required for hunting gray squirrels, rabbits, partridges, pheasants, and woodcock. Penalty: \$10 for each bird or animal killed or in possession, forfeiture of gun to owner of property on which game is killed, and ten days in default of fine. Taxpayers and those hunting except for market under express authority on land of resident are exempt. Nonresidents prohibited from hunting or obtaining license until 1895. (Ibid., chap. 122.)
- Carroll.**—\$10 nonresident license * required for hunting squirrels, rabbits, partridges, pheasants, and woodcock. Penalty: \$10 for each animal or bird killed or found in possession, forfeiture of gun to owner of property on which game is killed, and ten days in default of fine. Taxpayers and those hunting under express authority on land of resident are exempt. (Ibid., chap. 224.)
- Cecil.**—Chapter 292, laws of 1878, repealed, and use of sinkboat, sneak boat, or boat of any kind on Elk and Bohemia rivers prohibited.* (Laws of 1894, chap. 556.)
- Charles.**—Nonresidents prohibited * from shooting wild fowl on waters of county. Penalty: \$30 or thirty days, and forfeiture of guns, traps, boats, and all other devices used in violation of law. Repeal of nonresident license for shooting wild fowl; established in 1888. (Ibid., chap. 225.)
- Hartford.**—\$10 nonresident license * required for shooting rabbits, partridges, pheasants, woodcock, rail, reedbird, and robins. Taxpayers and persons hunting by invitation on land of resident are exempt. (Ibid., chap. 139.)
- Kent.**—\$15 nonresident license required for shooting squirrels, rabbits, and birds. (Not needed by owner or tenant of land in county, and reduced to \$5 in case of anyone hunting by invitation on land of resident.) (Ibid., chap. 501.)
- Prince George.**—\$20 nonresident license for shooting rabbits, partridges, and woodcock. (Ibid., chap. 542.)
- Virginia.**—Nonresidents of the State, except members of the Eastern Shore Game Protective Association, prohibited * from killing wild fowl in Accomac and Northampton counties. (Acts of 1894, chap. 740, sec. 2.) [The effect of this law was to make the membership fee in the association virtually a nonresident license fee.]
- Nova Scotia.**—Nonresident license provisions of 1884 practically reenacted. (Laws of 1894, chap. 2, secs. 29–31.)
- 1895. Michigan.**—\$25 nonresident * and 50 cent resident * licenses required for hunting deer. Licenses good only during open season, limited to 5 deer and required to have coupon attached authorizing shipment of 1 deer to any point in the State. Approved May 4, 1895. (Laws of 1895, chap. 238.)

^a The application of this ordinance was limited to Alberta, Assiniboia, and Saskatchewan by sec. 26 of the Unorganized Territories' Game Preservation acts of 1894 (57–58 Vic., chap. 31).

- 1895. Minnesota.**—\$25 nonresident license * required for hunting any game birds or animals, but law applicable only to citizens of States which have restrictive laws against nonresident hunters. Approved April 25, 1895. (Laws of 1895, chap. 207.) Repealed in 1903.
- North Carolina.**—\$25 nonresident license * required for shooting from boxes, batteries, or floats on the waters of Dare County, south of the line from Manteo to Nagshead Life-Saving Station. (Laws of 1895, chap. 286.)
- North Dakota.**—\$25 nonresident license * and 50 cent resident license * required for hunting any animals or birds in the State. Nonresidents cultivating not less than a quarter section of land may obtain resident license in county in which land is cultivated, and landowners hunting on their own property require no licenses.^a (Rev. Codes, 1895, sec. 1645.)
- Wyoming.**—\$20 nonresident county license * substituted in place of absolute prohibition in case of nonresidents hunting big game. Licenses permit killing males only during September, October, and November, and solely for food. Approved February 20, 1895. (Laws of 1895, chap. 98, sec. 14.)
- British Columbia.**—\$50 nonresident license required for hunting big game. Members of army, navy, and Canadian militia require no license. (Game-protection act 1895, secs. 19-20.)
- Quebec.**—\$5 resident license authorizing killing of 3 caribou and 3 deer (formerly 5) in excess of regular limits. Nonresident licenses divided into four classes: (1) For hunting all animals and birds except nongame birds, fee \$30. (2) For hunting big game and fur-bearing animals, fee \$25. (3) For hunting woodcock, snipe, plover, curlew, sandpipers, partridges, or water fowl, fee \$20. (4) For hunting the same birds on the islands, bays, or shores of the Gulf of St. Lawrence, * fee \$10. Fees reduced one-half in case of members of fish and game clubs incorporated in the Province. In exceptional cases lieutenant-governor in council, on recommendation of commissioner, may reduce fees or issue free permits. (59 Vic., chap. 20, secs. 1 and 8.)
- 1896. Hawaii.**—\$5 hunting license * required on the island of Oahu. (Laws of 1896, act 64.)
- Newfoundland.**—\$100 nonresident license required for killing caribou. (Act August 6, 1896, sec. 5.)
- Nova Scotia.**—Modification in details of nonresident license law of 1884. \$10 nonresident license required for hunting birds, hares, and rabbits, and \$30 nonresident license for hunting other game. All licenses expire August 1. Fee for officers of army or navy stationed at Halifax, \$5. Army or navy officers belonging to the Game and Inland Fishery Protection Society, persons who have had domicile in Nova Scotia, are in the service of the Province or of the government of Canada, and are members of the game society, and nonresidents paying not less than \$20 real-estate tax, are exempt. (Laws of 1896, chap. 4, secs. 32-34; Rev. Stat., 1900, II, chap. 101, secs. 25-28.)
- Ontario.**—Residents required to obtain licenses * at \$2 each to hunt deer in the Province. (59 Vic., chap. 68, sec. 2.)
- 1897. Michigan.**—Nonresident license for deer, \$25. Resident license increased to 75 cents. All licenses must bear coupons properly eyeletted; full details of issue. (Acts of 1897, p. 403.)
- North Carolina.**—Nonresidents of the State prohibited * from hunting birds or wild fowl in Camden County. (Laws of 1897, chap. 558, sec. 2.)
- North Dakota.**—Resident license fee increased to 75 cents; nonresident landowners required to secure resident licenses.

^a This law did not become effective until December, 1895. See *Forest and Stream*, XLV, p. 89, August 3, 1895.

- 1897. Tennessee.**—Nonresidents of Grundy and Van Buren counties prohibited* from killing deer, quail (partridge) or wild turkey in those counties. (Laws of 1987, chap. 172.)
- Wisconsin.**—\$30 nonresident license* and \$1 resident license* required for hunting deer. Resident licenses required only in forty counties, designated as 'counties frequented by deer.' Full details in regard to issue of coupon licenses. (Laws of 1897, chap. 221.)
- New Brunswick.**—\$20 nonresident and \$2 resident licenses* required for killing moose or caribou. Nonresidents required to furnish \$100 bond* with 2 resident sureties for observance of the game laws. (Acts of 1897, chap. 23, secs. 8-11.)
- Quebec.**—Nonresident license fees graded* according to a tariff established by the lieutenant-governor in council. Fee may be reduced in case of members of a fish-and-game club incorporated in the Province, provided club leases a hunting reserve. (60 Vic., chap. 25, sec. 5.)
- 1898. Northwest Territories.**—\$15 nonresident license, good only from August 1 to January 31, required for hunting any of the animals or birds mentioned by the ordinance. Guest license omitted. (Ordinance No. 40 of 1898, sec. 4; Con. Ord., 1898, chap. 85, sec. 20.)
- 1899. Georgia.**—\$25 market hunting license* required of any person killing or capturing for sale, except on his own land, deer, quail, wild turkeys, or doves. Not in effect until recommended by grand jury of the county. (Acts of 1899, p. 96.)
- Illinois.**—\$10 nonresident county license, * good until June 1 following date of issue, allows shipment of 25 birds. (Laws of 1899, p. 231, sec. 26.)
- Maine.**—'September law,' * permitting nonresidents on payment of \$6 and residents on payment of \$4 to kill one deer in September, for food purposes only, in Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset, and Washington counties. (Pub. Laws of 1899, chap. 42, sec. 21.)
- Minnesota.**—\$25 nonresident license and 25-cent resident license* required for hunting deer, elk, caribou, or moose. All licenses good one year from date of issue and must contain description of licensee. (Laws of 1899, chap. 222, sec. 53.)
- North Carolina.**—\$25 nonresident license for club houses in Dare County. (Pub. Laws, chap. 133, sec. 2.)
- North Dakota.**—\$25 nonresident and 75-cent resident license reenacted. Exemptions same as in 1897, except that resident children under 16 are exempted. (Laws of 1899, chap. 93, sec. 4.)
- South Dakota.**—\$10 nonresident hunter's license* required for big game or birds. (Laws of 1899, chap. 90, sec. 14.)
- West Virginia.**—\$25 dollars nonresident county license* required for hunting in the State. (Acts of 1899, chap. 22, sec. 17.)
- Wisconsin.**—Nonresident license fee for hunting deer reduced to \$25. \$10 license* established for hunting all other game. Resident license extended to cover all game. Details of issue amended. (Laws of 1899, chap. 312.)
- Wyoming.**—Nonresident license fee increased from \$20 to \$40. \$1 gun license* required of each resident hunting big game outside his own county. (Laws of 1899, chap. 19, sec. 14.)
- New Brunswick.**—Law of 1897 modified so as to dispense with bonding feature. (Acts of 1899, secs. 39-45.)
- Newfoundland.**—Nonresident license fees for killing caribou reduced, and licenses issued in three series: \$40 license for 2 stags and 1 doe; \$50 license for 3 stags and 1 doe; \$80 license for 5 stags and 2 does. (Deer preservation act of 1899, secs. 7-10.)

- 1900. Northwest Territories.**—\$1 nonresident permits*, limited to 5 days, may be issued by any game guardian or the commissioner of agriculture to guests of residents hunting with their hosts. (Ordinances of 1899, chap. 23, sec. 3.)
- Quebec.**—Reenactment of nonresident license provisions of 1897. (62 Vic., chap. 24, sec. 1416.)
- Iowa.**—\$10 nonresident county license*, permitting export of 25 birds or animals. (Laws of 1900, chap. 86.)
- License fees to be credited to game protection fund. (Ibid., chap. 87.)
- Maryland.**—
- Cecil.**—Chapter 556, Laws of 1894, repealed, and \$10 license required for use of sink box by residents on Elk and Bohemia rivers. (Laws of 1900, chaps. 372 and 444.)
- Dorchester.**—Nonresidents (except taxpayers) prohibited* from shooting or killing ducks, geese, brant, or swans within 1 mile of shore line of Middle or Lower Hooper Island without permission of landowners. (Laws of 1900, chap. 378.)
- Garrett.**—\$25 nonresident license* required for hunting any game. (Laws of 1900, chap. 189.)
- Somerset.**—\$9.50 nonresident license required for hunting any game. (Not needed by anyone invited and accompanied by a resident. (Laws of 1900, chap. 203.)
- New York.**—Nonresidents prohibited* from taking fish or game on fresh waters forming part of State boundary except under same conditions or fees as are required of citizens of New York in State of nonresident. (Laws of 1900, chap. 429.)
- Virginia.**—\$10 nonresident license* required for hunting deer, partridges, pheasants, and wild turkeys in Alleghany, Augusta, Bath, Botetourt, Highland, or Rockbridge counties. License good only in county of issue, but permission of landowner obviates necessity for license. (Laws of 1900, chap. 1002, sec. 4.) \$10 nonresident license required for hunting partridges (or quail) in Lee County. License carries privilege of shipping quail killed by licensee. (Ibid., chap. 330.)
- Manitoba.**—\$25 nonresident license* required for hunting in the Province and issued at discretion of minister of agriculture and immigration. (63 and 64 Vic., chap. 14, sec. 18.)
- New Brunswick.**—\$30 nonresident license required for hunting any animals or birds in Westmoreland County; fee for nonresident license for moose and caribou raised to \$30. (63 Vic., chap. 39, sec. 3.)
- Ontario.**—\$25 nonresident and \$2 resident license provisions reenacted. \$5 resident license* established for killing moose, reindeer, or caribou. (Game-protection act 1900, sec. 25.)
- 1901. Illinois.**—\$10 nonresident county license extended* to cover State. License must bear photograph of holder. (Laws of 1901, p. 212.)
- Indiana.**—\$25 license* required of nonresidents. Permit required for hunting squirrels and wild fowl, October 1 to November 10. Issued without charge to residents and to nonresidents holding license. (Laws of 1901, chap. 203.)
- Maine.**—Repeal of the September deer law. (Pub. Laws, 1901, chap. 278.)
- Minnesota.**—License provisions of 1899 amended to permit residents to obtain licenses upon written (formerly personal) application to county auditor, received through office of any city, village, or town clerk before whom applicant appears. (Laws of 1901, chap. 342.)
- Montana.**—\$25 big game license* and \$15 game-bird license* required of nonresidents. Taxpayers exempt. (Laws of 1901, p. 135, secs. 19-24.)

- 1901. Nebraska.**—\$10 nonresident* and \$1 resident licenses* required for hunting any animals or birds; resident license not required in county of domicile. (Laws of 1901, chap. 36, art. 4.)
- Oregon.**—\$10 market-hunting license* required of nonresidents. (Laws of 1901, p. 231, sec. 38.)
- Pennsylvania.**—\$10 license* required of nonresidents owning no land in Pennsylvania and who wish to hunt in the State. Guns and shooting paraphernalia used in violation of law may be seized. (Laws of 1901, chap. 67.)
- South Dakota.**—\$25 nonresident and \$1 resident* county licenses required for hunting big game. Licenses not to be issued before November 1 and good only during that calendar year. (Laws of 1901, chap. 132, secs. 10, 15.)
- Tennessee.**—Nonresidents of Bledsoe County prohibited* from hunting deer, quail (partridge), or wild turkey in that county. (Laws of 1901, chap. 213.)
- Washington.**—\$10 nonresident license* and \$1 resident license* required for hunting in the State; \$20 extra for killing elk. License good only in county in which issued and required of all persons 16 years of age or over. Resident licenses may be obtained by citizens of Idaho and Oregon. (Laws of 1901, chap. 134, sec. 9.)
- Northwest Territories.**—\$15 nonresident license, good for calendar year, required for hunting any big game or birds in the Territories whether protected by the ordinance or not. (Ordinances of 1901, chap. 32, sec. 3.)
- 1902. Kentucky.**—\$25 nonresident license* required for hunting in the State. (Laws of 1902, chap. 79.)
- Louisiana.**—Nonresidents prohibited from hunting in the State.* (Laws of 1902, chap. 65.)
- Maryland—**
- Calvert.**—\$10 nonresident license* required for hunting rabbits, partridges, and woodcock. (Not needed by anyone hunting by invitation or under written permission on land of a resident.) (Laws of 1902, chap. 493.)
- Cecil.**—\$5.50 nonresident license* required for hunting rabbits, quail or partridges, grouse, woodcock, reedbirds, ortolan (rail), and summer ducks. (Not needed by anyone hunting by permission on land of a resident.) (Laws of 1902, chap. 434.)
- Dorchester.**—Nonresidents prohibited from hunting ducks, geese, brant, or swan within 3 miles of shore line of Middle and Lower Hooper Island without consent of landowners.
- Frederick.**—\$15 nonresident license* required for hunting rabbits, partridges, pheasants, wild turkeys, woodcock, and ducks. (Not needed by anyone hunting by written permission on land of a resident.) (Laws of 1902, chap. 176.)
- Garrett.**—Nonresidents prohibited from selling quail, pheasants, partridges, wild turkeys, and woodcock within county. (Laws of 1902, chap. 116.)
- Montgomery.**—\$15 nonresident license* required for hunting squirrels, rabbits, partridges, pheasants, wild turkeys, woodcock, and ducks. (Not needed by anyone hunting by written permission on land of a resident.)
- Prince George.**—\$20 nonresident license required for hunting rabbits, partridges, pheasants, and woodcock. (Not needed by anyone hunting by written permission on land of a resident.)
- Washington.**—\$10 nonresident license* required for hunting or fishing in Washington County, except on the Potomac River. Taxpayers, residents of Maryland or the District of Columbia, and anyone hunting by permission on the land of a resident of the county are exempt. (Laws of 1902, chap. 379.)
- Wicomico.**—\$10 nonresident license* required for hunting any game. (Not needed by anyone invited and accompanied by a resident.) (Laws of 1902, chap. 222.)

- 1902. New Jersey.**—\$10 nonresident license* required for hunting any game except waterfowl, snipe, and mudhens. (Laws of 1902, chap. 263.)
- New York.**—Nonresidents from States which require licenses, can kill game only under licenses* similar to those required of nonresidents in their own States. (Laws of 1902, chap. 77.)
- Ohio.**—\$25 nonresident license* permitting export of 50 animals and birds. (Laws of 1902, p. 379.)
- Newfoundland.**—Nonresident license fee increased from \$80 to \$100 and limit placed at 3 stag caribou. (Preservation of deer act, 1902, sec. 13.)
- Nova Scotia.**—Nonresident license changed to 'general license to shoot game' and fee increased from \$30 to \$40. 'License to shoot small game,' \$10. (Laws of 1902, chap. 23, sec. 2.)
- 1903. Arkansas.**—Repeal of former license laws. Nonresidents not permitted to hunt in the State* except in Mississippi County. (Acts of 1903, chap. 162, secs. 4, 11.)
- Colorado.**—\$25 nonresident license* required for hunting all game and \$1 per day (\$2 first day) for birds. \$1 State hunting or resident license* established. (Laws of 1903, chapter 112, Division G.)
- Florida.**—\$10 nonresident license extended to cover all game. Act not applicable to counties which have special game laws. (Laws of 1903, chap. 5251, sec. 6.)
- Nonresidents prohibited from hunting in Santa Rosa County without permission of owner of land (*ibid.*, chap. 5292), or in Lafayette County except upon payment of \$1 per day* to game warden (*ibid.*, chap. 5293).
- Idaho.**—\$25 nonresident license* required for hunting all game, \$5 license* for birds. \$1 resident license* established. (Laws of 1903, p. 192, sec. 8.)
- Illinois.**—Nonresident license fee increased from \$10 to \$15 and requirement of photograph abolished. \$1 resident license* established. (Laws of 1903, p. 214, sec. 25.)
- Indiana.**—\$25 nonresident license required for hunting in the State; permits export of 24 birds. Permit for hunting squirrels October 1 to November 10 abolished; \$1 required from residents for permit* for hunting waterfowl October 1 to November 10. Both nonresident and resident licenses must bear photograph of licensee. (Acts of 1903, chap. 225, secs. 4-5.)
- Maine.**—\$15 nonresident license* required for hunting moose or deer. (Public Laws of 1903, chap. 99.)
- \$5 nonresident license* required for hunting teal, ducks, sea or shore birds in Knox, Lincoln, Sagadahoc, and Waldo counties; and towns of Brunswick, Freeport, and Harpswell in Cumberland County. (Public Laws of 1903, chap. 236.)
- Minnesota.**—Reenactment of former license provisions with addition of \$10 nonresident license* for small game; resident license extended to cover all game animals and fee increased to \$1. (Laws of 1903, chap. 336, secs. 39-41.) Repeal of license laws of 1895, 1899, and 1901. (*Ibid.*, sec. 64.)
- New Hampshire.**—\$10 nonresident license* required for hunting deer. (Laws of 1903, chap. 87.)
- New York.**—Nonresident license required for hunting game. Fee not less than that required of resident of New York in State of applicant; and, if none, amount to be fixed by commissioner of forestry, fisheries, and game. (Laws of 1903, chap. 475.)
- North Carolina.**—\$10 nonresident license* required for hunting in the State. (Private Laws of 1903, chap. 337, sec. 10.)
- \$20 nonresident license* required for hunting quail, partridges, or wild turkeys in Cabarrus County. (Pub. Laws of 1903, chap. 675, sec. 2.)

- 1903. Pennsylvania.**—\$10 nonresident license* required of unnaturalized foreign-born residents who hunt in the State. (Laws of 1903, chap. 136.)
- Tennessee.**—Nonresident* and \$25 market hunting licenses* required for hunting in the State. Fee for nonresident license same as resident of Tennessee is required to pay in State of applicant. (Acts of 1903, chap. 169, secs. 9, 14.)
- Utah.**—\$10 nonresident gun license* required for hunting any game animals or birds in the State. (Laws of 1903, chap. 116, sec. 2.)
- Virginia.**—\$10 nonresident license* required for hunting in the State. Children and guests of resident landowners exempt, but host must hunt with his guest and must not, directly or indirectly, receive any compensation from him. (Acts 1903, chaps. 227, 286, sec. 2070c.)
- Washington.**—Uniform \$1 county license* required of residents and nonresidents hunting in the State. (Laws of 1903, chap. 94.)
- West Virginia.**—Nonresident license extended* to cover the State and fee reduced from \$25 to \$15. (Acts of 1903, chap. 46, sec. 17.)
- Wyoming.**—Nonresident gun license fee increased from \$40 to \$50. (Laws of 1903, chap. 44, sec. 8.)
- New Brunswick.**—Reenactment of license provisions with addition of 25 cent, resident license to hunt any game in Westmoreland County. (Con. Stat., Vol. I, chap. 33, secs. 44-46.)
- Newfoundland.**—Nonresident license fee reduced from \$100 to \$50. (Acts of 1903, chap. 8, sec. 3.)
- Northwest Territories.**—\$25 general nonresident license and \$15 bird license* required of nonresidents for hunting in the Territories. General license permits export of trophies of big game. (Ordinances of 1903, 2d sess., chap. 29, sec. 18, passed Nov. 1, 1903.)
- 1904. Kentucky.**—Nonresident license fee reduced from \$25 to amount required of citizens of Kentucky in State of applicant.* (Acts of 1904, chap. 48.)
- Louisiana.**—\$10 nonresident license* substituted for absolute prohibition; same license required of unnaturalized foreign-born residents. \$25 market hunting license established. (Laws of 1904, chap. —.)
- Maryland.**—
- Allegany.**—\$10 nonresident license* required for hunting any game. (Laws of 1904, chap. 439.)
- Anne Arundel.**—Previous laws modified so as to remove restrictions from nonresident owners of land in county and permit nonresident not owning land to hunt if invited by a resident and hunting with him on his own land or to shoot wild fowl from a licensed blind on invitation of owner.
- Baltimore.**—\$5 nonresident license required for hunting squirrels, rabbits, partridges, pheasants, woodcock, and jacksnipe. Photograph of holder must be attached to license. Nonresident taxpayers and persons hunting by written permission on the land of a resident exempt. (Laws of 1904, chap. 542.)
- Patuxent River.**—\$10 license* for hunting birds required of nonresidents, except members of certain incorporated hunting clubs, of not more than 30 members, owning or leasing land within one mile of the river and improved by a club-house. Licensee must also secure written permission of owner of land adjacent to water on which he hunts. \$2.50 pusher's license required of residents of Maryland pushing, paddling, or conveying anyone hunting ortolan, rail, redbirds, ducks, or geese. (Laws of 1904, chap. 509.)
- Somerset.**—\$10 nonresident and \$1 resident license* required (except in case of resident landholders) for hunting squirrels, rabbits, muskrats, quail or partridges, doves, woodcock, ducks, and geese. (Laws of 1904, chap. 198.)

1904. Ohio.—\$15 nonresident license, good until December 1 following date of issue, required for hunting in the State; fee formerly \$25. (Laws of 1904, p. 474, sec. 22.)

Nova Scotia.—\$30 nonresident license required for hunting moose. Licensee may take with him from the Province any moose or caribou which he has lawfully killed. (Laws of 1904, chap. 14.)

REFERENCES TO ARTICLES ON NONRESIDENT LICENSES.

Much discussion of the license system has appeared in sportsmen's journals in recent years, mostly in the form of brief articles and notes, and the following list of titles, arranged chronologically, has been prepared for the convenience of persons who may desire to examine this material. No attempt has been made to give a complete index of the literature of the subject, or to do more than to indicate some of the more important articles which have been consulted in the preparation of this bulletin:

1875. A MEMBER, Game Protection in New Jersey. [Defense of the charter of the West Jersey Game Protective Association.] <Forest and Stream, V, p. 188, Oct. 28, 1875.
EDITORIAL, Game Protection—The Florida Snap Law [Nonresident license act of 1875]. <Forest and Stream, V, p. 328, Dec. 30, 1875; see also same volume, pp. 377-378.
1880. C., Shooting Dogs and Taxing Guns. [Advocates \$10-\$15 Nonresident Gun License good throughout the State or in contiguous counties.] <Forest and Stream, XIII, p. 1012, Jan. 22, 1880.
1887. EDITORIAL, The Arkansas Law Unconstitutional. [Decision of Craighead County Circuit Court.] <Am. Field, XXVII, p. 49, Jan. 15, 1887.
ANONYMOUS, Non-Resident Shooting in Poinsett County, Arkansas. [Act of 1875 declared unconstitutional by Poinsett County Circuit Court.] <Am. Field, XXVIII, pp. 3-4, July 2, 1887.
1895. EDITORIAL, Non-Resident Discriminations. <Forest and Stream, XLIV, p. 61, Jan. 26, 1895.
1896. EDITORIAL, A New Jersey Scheme [for requiring nonresidents to obtain \$10 licenses to hunt or fish]. <Forest and Stream, XLVI, p. 129, Feb. 15, 1896.
ROBBINS, C. E., North Dakota Non-Residents [fail to secure writ compelling auditor to grant licenses for same amount charged residents]. <Forest and Stream, XLVI, p. 277, April 4, 1896.
EDITORIAL NOTE, Snap shots [—the Michigan License System]. <Forest and Stream, XLVII, p. 1, July 4, 1896.
1897. HOUGH, E., The Wisconsin Deer Licenses. [Summary for 1897]. <Forest and Stream, XLIX, p. 487, Dec. 18, 1897.
1898. TALCOTT, WILLIAM A., JR., [Constitutionality of] Non-Resident Licenses. <Forest and Stream, L, pp. 205-206, Mar. 12, 1898.
EDITORIAL NOTE [Failure to pass a \$2 Non-Resident License Law in New Jersey]. <Forest and Stream, L, p. 281, April 9, 1898.
HOUGH, E., [Abuse of] Wisconsin Deer Licenses. <Forest and Stream, LI, p. 349, Oct. 29, 1898.
1899. CUNNINGHAM, G. W., Michigan Deer [and the Operation of the License Law]. <Forest and Stream, LII, p. 10, Jan. 7, 1899.

- 1899.** EDITORIAL NOTE [The Feeling engendered by Non-Resident Licenses]. <Forest and Stream, LII, p. 61, Jan. 28, 1899.
- EDITORIAL, The Wyoming Guide [and Non-Resident] License System. <Forest and Stream, LII, p. 241, April 1, 1899.
- EDITORIAL, [Non-Resident Licenses] In Florida. <Forest and Stream, LII, p. 401, May 27, 1899.
- EDITORIAL, Non-Resident License Laws are Constitutional. <Forest and Stream, LIII, p. 181, Sept. 2, 1899.
- HOUGH, E., Illinois [Non-Resident License] Law Sustained. <Forest and Stream, LIII, p. 406, Nov. 18, 1899.
- EDITORIAL, The Non-Resident License Law Upheld. <Am. Field, LII, p. 401, Nov. 18, 1899.
- 1901.** JOHNSON, F. C. [Some Hardships of Non-Resident License Laws.] <Am. Field, LV, p. 187, Mar. 9, 1901.
- ANONYMOUS, [Defense of] Non-Resident License Laws. <Am. Field, LVI, p. 206, Sept. 14, 1901.
- 1902.** WEST VIRGINIAN, Hunting Licenses—Non-Resident and Resident. <Am. Field, LVII, p. 216, Mar. 8, 1902.
- EDITORIAL NOTE, Non-Resident License Laws. <Am. Field, LVIII, p. 145, Aug. 16, 1902.
- EDITORIAL, [A Fund] To Test the Non-Resident Law. <Am. Field, LVII, p. 593, Dec. 20, 1902.
- NOWLIN, D. C., Non-Resident Hunting Licenses [in Wyoming and their Results]. <Forest and Stream, LIX, p. 105, Aug. 9, 1902.
- 1903.** ANONYMOUS, Game Law Declared Unconstitutional [Decision of Crittenden County Circuit Court, Arkansas, on the Non-Resident Law of 1903]. <Am. Field, LX, p. 52, July 18, 1903.
- EDITORIAL, Non-Resident Land Owners [under the Arkansas Law]. <Am. Field, LX, p. 145, Aug. 15, 1903.
- ANONYMOUS, [Decision of the Superior Court of Spokane County, Washington, on the Non-Resident Law of 1903]. <Field and Stream, VIII, p. 501, Oct., 1903.

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